



# महाराष्ट्र शासन राजपत्र

## असाधारण भाग एक-मध्य उप-विभाग

वर्ष ४, अंक १७]

सोमवार, मार्च २६, २०१८ / चैत्र ५, शके १९४०

[पृष्ठे ३४, किंमत : रुपये ४.००

असाधारण क्रमांक २१

प्राधिकृत प्रकाशन

नगरविकास विभाग

मंत्रालय, मुंबई ४०० ०३२, दिनांक २२ मार्च २०१८

सूचना

**महाराष्ट्र प्रादेशिक नियोजन व नगररचना, अधिनियम, १९६६.**

क्रमांक टीपीएस. १८१६/प्र. क्र. ३६८(भाग-१)/१५/३७ (१कक)/वियो/नवि-१३.— ज्याअर्थी, शासनाच्या नगरविकास विभागाने, स्थानिक नियोजन प्राधिकरणांच्या व नियोजन प्राधिकरणांच्या (विशेष नियोजन प्राधिकरणासहीत) (यापुढे ज्यांचा उल्लेख “उक्त नियोजन प्राधिकरण” असा करण्यात आला आहे) विकास योजनांना त्यांच्या विकास नियंत्रण नियमावलीसह महाराष्ट्र प्रादेशिक नियोजन व नगररचना अधिनियम, १९६६ च्या (यापुढे ज्यांचा उल्लेख “उक्त अधिनियम” असा करण्यात आला आहे) कलम ३१ अन्वये वेळोवेळीच्या अधिसूचनांद्वारे (यापुढे ज्यांचा उल्लेख “उक्त अधिसूचना” असा करण्यात आला आहे) मंजूरी दिली आहे ;

आणि ज्याअर्थी, उपलब्ध जमिनीचा तिच्या कमाल विकसन क्षमतेनुसार उपयोग करून घेणे, बाजारामध्ये किफायतशीर घरांचा पुरवठा वाढविणे, नगर वसाहत प्रकल्पाच्या माध्यमातून शासनास कोणताही खर्च न करता स्मार्ट सिटीसारख्या समृद्ध वसाहती विकसित होणेकरीता, तसेच प्रकल्पाकरीता विनियमामध्ये व कार्यपद्धतीमध्ये स्पष्टता आणणे याकरीता विशेष नगर वसाहतीचे धोरण यापूर्वी शासनाने सन २००६ मध्ये तयार करून ते उक्त नियोजन प्राधिकरणांच्या विकास नियंत्रण नियमावलीमध्ये समाविष्ट केलेले आहेत (यापुढे ज्यांचा उल्लेख “विशेष नगर वसाहतीचे विनियम” असा केला आहे);

आणि ज्याअर्थी, उक्त विशेष नगर वसाहतीच्या विनियमामध्ये शासनाने वेळोवेळी बदल केलेले आहेत ;

आणि ज्याअर्थी, विशेष नगर वसाहत हा शब्दप्रयोग बदलून एकात्मिक नगर वसाहत असा करण्यासाठी महाराष्ट्र अधिनियम ४३/२०१४ नुसार उक्त अधिनियमामध्ये दिनांक २२ एप्रिल २०१५ पासून बदल करण्यात आलेला आहे (यापुढे ज्यांचा उल्लेख “उक्त एकात्मिक नगर वसाहत” असा उल्लेख करण्यात आलेला आहे) ;

आणि ज्याअर्थी, उपलब्ध जमिनीचा तिच्या कमाल विकसन क्षमतेनुसार उपयोग करून घेणे, बाजारामध्ये किफायतशीर घरांचा पुरवठा वाढविणे तसेच प्रकल्पाकरीताच्या सध्याच्या विनियमामध्ये व कार्यपद्धतीमध्ये स्पष्टता आणणे याकरीता विशेष नगर वसाहतीचे धोरणामध्ये सुधारणा करणे आवश्यक असल्याचे शासनाचे मत झाले आहे ;

आणि ज्याअर्थी, उपरोक्त बाबी विचारात घेतल्यानंतर शासनाने प्रस्तावित केलेल्या एकात्मिक नगर वसाहतीच्या सुधारित धोरणास दिनांक १४ फेब्रुवारी २०१८ रोजीच्या मा.राज्य मंत्रिमंडळ बैठकीमध्ये मान्यता दिल्यानुसार उक्त नियोजन प्राधिकरणांच्या विकास नियंत्रण नियमावलीमध्ये असलेले सध्याचे विद्यमान विशेष नगर वसाहतीचे विनियम बदलून त्याऐवजी उक्त एकात्मिक नगर वसाहतीचे सुधारित विनियम अनुसूची-ब मध्ये सविस्तर वर्णन केल्याप्रमाणे नव्याने समाविष्ट करणे आवश्यक झाले असून त्याकरीता उक्त नियोजन प्राधिकरणांच्या विकास नियंत्रण नियमावलीमध्ये समाविष्ट करणे आवश्यक आहे असे शासनाचे मत झाले आहे (यापुढे ज्यांचा उल्लेख “प्रस्तावित फेरबदल” असा उल्लेख करण्यात आलेला आहे) ;

(१)

आणि ज्याअर्थी, उक्त प्रस्तावित फेरबदलाचा अंतर्भाव उक्त नियोजन प्राधिकरणांच्या विकास नियंत्रण नियमावलीमध्ये समाविष्ट करण्याकरिता **सार्वजनिक जनहित लक्षात घेता**, अधिनियमाचे कलम ३७ (१ क क) (क) अन्वये शासनस्तरावरून हरकती मागविण्यासाठी सूचना प्रसिद्ध करणे आवश्यक आहे, असे शासनाचे मत झाले आहे.

त्याअर्थी, आता उक्त अधिनियमाच्या कलम ३७ (१ क क) (क) मधील तरतुदीप्रमाणे राज्यातील उक्त नियोजन प्राधिकरणांच्या विकास नियंत्रण नियमावलीमध्ये **उक्त प्रस्तावित फेरबदल** करण्याचा हेतू शासन याद्वारे घोषित करित आहे. **अनुसूची-ब** मध्ये नमूद केलेल्या प्रस्तावित फेरबदलाच्या अनुषंगाने काही सूचना/हरकती द्यावयाच्या असतील तर त्या नागरिकांनी ही सूचना **महाराष्ट्र शासन राजपत्रात** प्रसिद्ध झाल्याच्या दिनांकापासून ३० (तीस) दिवसांचे आत संबंधित विभागाचे सहसंचालक, नगररचना यांचे नावे लेखी स्वरूपात कारणांसह पाठवाव्यात. नियुक्त अधिकारी यांच्या कार्यालयांचे पत्ते सोबतच्या **अनुसूची-अ** मध्ये नमूद केले आहेत. विहित कालावधीत प्राप्त होणाऱ्या सूचना/हरकतींवर सुनावणी देणेसाठी व त्यावरील अहवाल शासनास सादर करण्यासाठी संबंधित विभागाच्या विभागीय सहसंचालक, नगररचना यांना उक्त अधिनियमाचे कलम १६२ अन्वये प्राधिकृत करण्यात येत आहे. प्रस्तावित फेरबदलाची नोटीस **महाराष्ट्र शासनाच्या राजपत्रात** प्रसिद्ध झाल्यापासून ३० (तीस) दिवसांचे आत प्राधिकृत अधिकारी यांचेकडे प्राप्त झालेल्या सूचना/हरकतींचाच शासनाकडून विचार केला जाईल.

प्रस्तावित प्रस्तुत फेरबदलाची सूचना त्यासोबतच्या **परिशिष्ट-ब** सहनागरिकांच्या अवलोकनार्थ कामकाजाच्या दिवशी कार्यालयीन वेळेेत खालील कार्यालयात उपलब्ध करण्यात यावी :-

- (१) संचालक, नगररचना, महाराष्ट्र राज्य, पुणे.
- (२) सहसंचालक, नगररचना, पुणे/कोकण/नाशिक/अमरावती/नागपूर/औरंगाबाद विभाग.
- (३) आयुक्त, महानगरपालिका (सर्व)/मुख्य कार्यकारी अधिकारी, सिडको/एमएसआरडीसी.
- (४) महानगर आयुक्त, नागपूर महानगर क्षेत्र विकास प्राधिकरण.
- (४) मुख्याधिकारी, नगरपरिषद (सर्व).

#### Annexure - A (अनुसूची अ)

(Accompaniment to the Government in Urban Development Department Notice Bearing No. TPS-1816/CR-368(Part-I)/15/DP-ITPUD-13, dated 22/03/2018)

Sr.No.	Name of Division	Appointed Officer	प्राधिकृत अधिकारी
1	Pune Division	Joint Director of Town Planning, Pune Division, Pune, S.No. 74/2, Sahakarnagar, Sarang Society, above Bank of Maharashtra, Pune 411 009.	सह संचालक, नगर रचना, पुणे विभाग, पुणे, स. नं. ७४/२, सहकार नगर, सारंग सोसायटी, बँक ऑफ महाराष्ट्रच्या वर, पुणे ४११ ००९.
2	Nagpur Division	Joint Director of Town Planning, Nagpur Division, Nagpur, Old Secretariat, Room No.108/109, First Floor, Civil Lines, Nagpur 440 001.	सह संचालक, नगर रचना, नागपूर विभाग, नागपूर, जुने सचिवालय, रुम नं. १०८/१०९, पहिला मजला, सिव्हिल लाईन्स, नागपूर ४४० ००१.
3	Aurangabad Division	Joint Director of Town Planning, Aurangabad Division, Aurangabad, MHADA Building, Second Floor, Opp. Hotel Printravel, Station Road, Aurangabad 431 001.	सह संचालक, नगर रचना, औरंगाबाद विभाग, औरंगाबाद, म्हाडा बिल्डिंग, दुसरा मजला, हॉटेल प्रिन्ट्रवेल च्या समोर, स्टेशन रोड, औरंगाबाद ४३१ ००१.
4	Nashik Division	Joint Director of Town Planning, Nashik Division, Nashik, New Central Administrative Building, First Floor, Divisional Commissionerate, Nashik Road 422 001.	सह संचालक, नगर रचना, नाशिक विभाग, नाशिक, नवीन मध्यवर्ती शासकीय इमारत, पहिला मजला, विभागीय आयुक्त कार्यालय, नाशिक रोड ४२२ ००१.
5	Amravati Division	Joint Director of Town Planning, Amravati Division, Amravati, "Nilgiri", Dr. Agarwal Building, Vijay Colony, Congress Nagar Road, Amravati 444 606.	सह संचालक, नगर रचना, अमरावती विभाग, अमरावती, "निलगिरी", डॉ. अग्रवाल बिल्डिंग, विजय कॉलनी, काँग्रेस नगर रोड, अमरावती ४४४ ६०६.
6	Konkan Division	Joint Director of Town Planning, Konkan Division, Navi Mumbai, Konkan Bhavan, Third Floor, CBD Belapur, Navi Mumbai 400 614.	सह संचालक, नगर रचना, कोकण विभाग, कोकण भवन, तिसरा मजला, सीबीडी बेलापूर, नवी मुंबई ४०० ६१४.

## Annexure - B (अनुसूची ब)

(Accompaniment to the Government in Urban Development Department Notice Bearing No. TPS-1816/CR-368(Part-I)/15/20(3)UD-13, dated 22/03/2018)

### DRAFT REVISED REGULATION FOR DEVELOPMENT OF 'INTEGRATED TOWNSHIP PROJECT (ITP)

#### 1. Applicability :

These regulations shall be applicable to the areas under Development Plans including areas under jurisdiction of SPAs and ADAs within Regional Plan / Development Plan sanctioned under the provisions of Maharashtra Regional and Town Planning Act, 1966 (hereinafter referred to as "the said Act"). **These Regulations shall also be applicable to all Local / Planning Authority areas.** These Regulations shall be applicable only after final sanction by Government under the **related provisions of the said act.** Till then existing regulations shall remain in force.

Provided that, if the Development Control Regulations regarding development of Integrated Township Project for an area over which a Planning Authority /Special Planning Authority/Area Development Authority has been appointed or constituted or deemed to have been appointed are yet to be sanctioned, then in considering the application for permission, these regulations, shall be applicable, *mutatis mutandis*, till such Authority adopts the Regulations in this regard.

If the ITP falls within the jurisdiction of more than one authority **then** in such cases Government **can** issue directives at the time of Locational Clearance **or at any time** regarding **which authority will give permission and supervise the project subject to terms and conditions as may be specified.**

#### 2. Requirements of Site :

The area proposed for Integrated Township shall fulfill the following requirements :—

(i) Any suitable area having area of 40 hect. (100 Acres) or more at one place.

(ii) The area shall be one, contiguous, unbroken and uninterrupted. Provided that, such area if divided by one or more water courses (such as nalas, canals, etc.), existing or proposed roads of any width or by railways etc., shall be treated as one, contiguous, unbroken and uninterrupted, subject to condition that the Project Proponent/s shall construct necessary connecting roads or bridges as per site requirements at his own cost with due permission from concerned authorities. **Integrated Township area may also include;**

(a) Lands in afforestation zone provided that such land is not a forest land and subject to no construction being allowed on land having slope more than 1:5.

(b) Lands area under notified SEZ subject to denotification from concerned authority before granting LoI.

(c) Lands within the buffer zone of National Park subject to restriction on development permissible in such buffer zone and subject to NOC of Forest Department.

(d) Tribal land if permission granted under MLR code, Government lands allotted to project proponent subject to clause 13.2.

(e) Private forest land that have been restored back after completion of section 22(a) Enquiry of Maharashtra Private Forest Act, 1975 shall be allowed to be part of the ITP with the condition that development permission shall be granted on such land only after necessary permission under the provision of forest conservation Act, 1980.

(f) Eco-sensitive Zone notified subject to all restriction on development and FSI permissible in such buffer zone.

(g) Areas under flood line / flood zone subject to clearance from Water Resource Department.

**(h) Areas under Hill Top / Hill Slope Zone, Buffer Zone etc. as shown on Development Plan subject to condition as mentioned in Clause 7.1.3. However total of these areas mentioned at (a) to (h) above shall be restricted to maximum 40% of total area under ITP.**

**(iii) If the Integrated Township area is more than 200 Ha., it can be segregated as long as each parcel is more than 40 Ha. and is located within a radius of 5 kms. Provided that the land use mix is maintained in each parcel.**

**(iv) The area shall have an access by means of an existing, or proposed road having minimum width of 18 mt. In case of proposed road, such area shall have an access by existing road having width 12 m. for the purpose of declaration of locational clearance and LoI of such project but it is necessary to the project proponent to have an existing access of 18 mt. before sanction of Commencement Certificate beyond 25% of project.**

**(v) The ITP Area shall not include the area under :—**

- (a) Notified forest, (excluding the private forest land subject to NOCs of forest Department.)**
- (b) Water bodies like river, creek, canal, reservoir, etc. Mangroves, Tidal Zone, Mud Flats.**
- (c) The area under Notified National Parks.**
- (d) Defence Estates.**
- (e) Cantonment Boards.**
- (f) Any restricted area.**
- (g) Designated port/harbour areas, wildlife Corridor and biospheres reserves, Gaathan/Congested Area.**
- (h) The historical and archaeological places notified under the relevant act.**
- (i) Any other area that may be declared by the Govt. of Maharashtra from time to time.**

### **3. Ownership of Lands :**

The project proponent/s shall have the ownership of all the land parcels under project.

**(Explanation -** for this clause, ownership includes rights accrued vide one or more registered Development Agreement/s or Power of Attorney (PoA) for such development and disposal, on behalf of land owner/owners).

### **4. Permission and Declaration of Project by State Government :**

**4.1** The Project Proponent/s shall apply to the State Government for obtaining permission and declaration of such project to be a “Integrated Township Project”. Such application shall be accompanied by the following attested documents in two sets :—

- (a) Details of ownership of land viz. extracts of V.F.No. 7/12 or Property Register Cards, in original having date not more than six months prior to the date of submission. In case of rights accrued through registered Development Agreement or PoA, attested copies of such documents.**
- (b) Self-attested list of S.No./G.No./CTS showing name of owner as per record of rights, total area of such land parcel, area owned by the applicant in such land parcel, the name of person/ company owning the Development Rights, area proposed to be included in project from such land parcel.**
- (c) Part plan of sanctioned Development Plan, showing all the lands falling in the project.**
- (d) No Objection Certificate from the officer at Divisional level, Water Resources Department in respect of lands falling in “Command Area” of any Irrigation Project unless these powers are exercisable by the higher authority.**
- (e) Village maps showing the lands falling in the project.**

(f) Certificate from concerned Forest Officer not below the rank of Dy. Conservator of Forests **at Divisional level (unless these powers are exercisable by higher authority)**, showing that the lands under project do not form part of and not included in reserved forest or protected forest or non-classified forest or not acquired under the provisions of the Maharashtra Private Forest (Acquisition) Act, 1975 and also, confirming that such lands do not form part of the Notified National Parks, prohibited area of Notified Wildlife Sanctuaries and Notified Bird Sanctuaries.

(g) Certificate from the concerned revenue officer not below the rank of Tahasildar, showing the lands under project do not include lands belonging to **tribal or that tribal land included in ITP have necessary permission under MLR code**.

(h) Certificate from the Director of Archaeological Department, Maharashtra State, showing that the lands under project do not include monuments notified by the Archaeological Department, Heritage buildings and Precincts. Such certificate should also mention the distance to be kept around such places, if any.

(i) Receipt of processing fee (non-refundable) paid, at the concerned branch office of the Town Planning Department, at the rate of Rs. 5000 per ha. for the current year with the yearly rise of Rs. 500 per ha. starting from the month of January every year.

**4.2** On receipt of an application under Clause 4.1 above, the Government may, after consulting the Director of Town Planning, Maharashtra State, by notification in the *Official Gazette*, grant the locational permission and declare such project to be a “Integrated Township Project”, subject to such general and/or special conditions or, reject the application, under the provisions of Section 18(3) of the said Act, within a period of 90 days from the date of receipt of application or reply from the Project Proponent/s in respect of any requisition made by the Government, whichever is later. **If the project proponent fails to comply with the conditions specified while granting location clearance within the specified time limit, then in such cases location clearance given earlier stands automatically cancelled and no refund or adjustment of premium / fees / expenses etc. shall be eligible.**

(*Explanation.*—In circumstances described in proviso of Clause 4.2, such grant of permission and declaration of project shall be made under the provisions of Section 18(3) read with Section 44(2) of the Maharashtra Regional and Town Planning Act, 1966).

**4.3** Every such permission and declaration shall remain in force for a period of two years, if not applied for Letter of Intent under Clause 5, from the date of issue of Locational Clearance Notification and thereafter it shall lapse :

Provided that, the Director of Town Planning, Maharashtra State, Pune may, on application made by Project Proponent/s before expiry of the above period extend such period by two years in aggregate. Provided also that, it is not mandatory on Project Proponent/s to submit all the papers afresh as prescribed under Clause 4.1, however the affidavit regarding the ownership of land about any dispute shall be mandatory.

**4.4** Such lapse shall not bar any subsequent application for fresh proposal.

**4.5** The Director of Town Planning, Maharashtra State, on the request of Project Proponent/s, by notification in the *Official Gazette*, may grant to add or delete any area, not exceeding 25% of the total area under Locational Clearance, subject to condition that the remaining area shall not be less than 40 Hect. The permissible FSI and other parameters shall increase or decrease accordingly.

## **5. Letter of Intent (LOI) by the Collector :**

**5.1** The Project Proponent/s shall apply to the Collector for obtaining Letter of Intent for such project. Such application shall be accompanied by the **ownership** documents as prescribed in Clause 4.1(a) & 4.1(b) and **with locational clearance notification issued by the Government.**

**5.2** The Collector shall verify and satisfy himself that Ownership and Development Rights of all the lands under project are with the Project Proponent/s before issuing the Letter of Intent.

**5.3** On receipt of an application under Clause 5.1 the Collector shall grant Letter of Intent for the whole area or separately for any part thereof, which shall not be less than 40 Ha. at the first instance, subject to conditions as may be deemed fit, or reject the application, within a period

of 45 days from the date of receipt of application or reply from the Project Proponent/s in respect of any requisition made by the Collector, whichever is later :

Provided that, in case of rejection, the Collector shall **mention** the grounds for such refusal.

**5.4** Every such Letter of Intent shall remain in force for a period of two years, if not applied for Development Permission under Clause 6, from the date of issue of Letter of Intent, unless renewed. Provided that, the Collector may, on application made by Project Proponent/s before expiry of the above period extend such period by two years in aggregate. Provided also that letter of intent granted by collector under earlier regulations may also be extended subject to other conditions of these regulations.

## **6. Master Layout Plan Approval by the Authority :**

**6.1** The project proponent/s shall apply to the concerned **Authority** for obtaining the approval to the Master Layout Plan of the entire area as per Letter of Intent. Such application shall be accompanied by the documents in two sets as prescribed below :—

- (a) Attested copy of Gazette Notification issued by the Government under Clause 4.2.
- (b) Attested copy of Letter of Intent issued by Collector under Clause 5.
- (c) Part plan of sanctioned Development Plan, showing the lands under the Master Layout Plan.
- (d) Village Map showing the lands under the Master Layout Plan.
- (e) In case, project has no access from existing road having right of way of 18 m. then documents showing the ownership of Project Proponent/s in lands proposed for 18 m. wide access road.
- (f) Bank Guarantee of requisite amount as prescribed in Clause **12.6**
- (g) Undertaking and Affidavit as may be prescribed by the Collector / Municipal Commissioner / Chief Officer / Chief Executive Officer of Planning Authority / Special Planning Authority.
- (h) Copies of Master Layout Plan with or without Building Plans in three sets with sign of owner/developer and architect.
- (i) Contour map showing contour levels of lands under Master Layout Plan. Trueness of the contour shall be certified and attested by the surveying agency and the Project Proponent/s under their signature and seal.
- (j) Colored **google earth** image showing lands under Master Layout Plan.
- (k) Phased Program for development of **physical** infrastructure with amenities under project.

**6.2** If the application is not accompanied by the documents mentioned in Clause 6.1, **Authority** shall **convey** the same to the Project Proponent/s immediately within 10 working days **giving specific time period for fulfilment of such documents and if the same are not submitted by the said project proponent in given time then return the proposal** at his level only.

**6.3** On receipt of application, complete in all respects, as prescribed under Clause 6.1, the Authority shall forward the same to the concerned Divisional Joint Director of Town Planning for technical consultation within 10 working days.

**6.4** The office of the Divisional Joint Director of Town Planning shall send its remarks to Authority within two months from the receipt of proposal or receipt of reply from the Project Proponent/s in respect of any requisition made by him, whichever is later. Such master layout approval will be given with the condition that project proponent will not commence work without environmental clearance. Such environmental clearance shall be submitted at the time of sanction to the building permission. Sanctioned master Plan layout alongwith complete set of drawings shall be endorsed to the concerned branch office of Town Planning Department **or to the Authority wherever required** for the **further permissions**.

**6.5 Approval to the Master Plan :-** The Authority shall grant approval to the master layout or reject the application, within one month from the receipt of reply from the Divisional Joint Director of Town Planning as mentioned in 6.4.

**6.6 Approval to the building plan :-** Detailed building permission under the master layout plan sanctioned as per clause 6.5 shall be granted by the Assistant Director of Town Planning Branch Office or Town Planning Officer of concerned Authority, as the case may be, within 30 days from the receipt of the proposal from the project proponent as mentioned in 6.6.1.

**6.6.1** The Project Proponent/s shall apply to the concerned Planning Authority / Special Planning Authority or Branch office of Town Planning, as the case may be, for grant of building permission, alongwith all relevant documents and attested copy of Environment Clearance for the project from MoEF or the Authority empowered by the MoEF.

**6.6.2** The Project Proponent/s shall submit the certificate of Architect regarding completion of plinth stating that the construction of plinth is as per the approved building Plans to the concerned Planning Authority / Special Planning Authority or Branch office of Town Planning, as the case may be, alongwith approved Plan. The Planning Authority / Special Planning Authority shall verify the same **within stipulated time period**. If it is found that the construction of plinth is not as per the building permission sanctioned, the said office shall reject such plinth checking certificate. In such circumstances, the Project Proponent/s shall **either** demolish the said plinth **or get the revised plan sanctioned according to changes..** If it is found that the construction of plinth is as per the building permission sanctioned, then grant of plinth checking certificate is not necessary .—

**However notwithstanding anything mentioned above, before grant or refusal to the Master Layout Plan, the Authority shall, consult the, concerned Divisional Joint Director of Town Planning as prescribed in Clause-6.3 and 6.4, if the Planning Officer posted in such Authority is below the rank of Joint Director of Town Planning, and to the concerned branch office of Town Planning as prescribed in Clause-6.6 and 11, if the Planning Officer posted in such Authority is below the rank of Assistant Director of Town Planning.**

## 7. Planning Considerations :

### 7.1 Permissibility in respect of Zoning :

**7.1.1** Notwithstanding anything contained in any regulation for the time being in force, the project to be notified under this regulation may be permissible in any land-use zone/s of sanctioned Development Plan, excepting areas mentioned in Clause 2(iv).

**7.1.2** For the areas falling in zones, other than residential, commercial and U1 and U2 zone as per the sanctioned Development Plan, the Project Proponent/s shall have to pay a premium for permitting project in such zones at the rates prescribed below :—

Sr. No.	Type of Zone	Premium Charges	Revised Premium
a	Afforestation Zone, Hill Top and Hill Slope Zone as shown on Development Plan	20 %	<b>10 %</b>
b	Public / Semi-public Zone, Industrial Zone, <b>TH and LP</b>	10 %	<b>5 %</b>
c	Agriculture/ No Development Zone/G1 zone / <b>Low Density Residential Zone / Buffer Zone of ESZ</b> and other zones excepting at Sr. No. a and b above.	15 %	<b>8 %</b>

(*Explanation.*— Premium charges shall be calculated by considering the agriculture land rate of the said land as prescribed in Annual Statement of Rates (ASR) without applying the guidelines. **If agriculture land rate is not mentioned in ASR, in such cases the premium is calculated considering guideline of ASR for converting into agriculture rate.** Out of total premium **10 %** shall be paid at the time of Locational Clearance, **10 %** paid at the time of letter of Intent and **20 %** at the time of sanctioning of Master Layout Plan and remaining **60 %** shall be in four equal installments per year **and subject to interest as decided by the authority**)

**7.1.3 Restriction on development** - No construction shall be permitted on the lands within the HFL. Land in Hill Top and Hill Slope Zone and **on** lands having slope equal to or more than 1:5 in the said Project, whether specifically marked as such on the Development Plan or not. No development of any sort and activity involving cutting / leveling / filling shall be permissible on such **sloping** lands. Provided that, it shall be permissible to use such lands for Plantation, Park, Garden purposes, access road to township development with minimum cutting and other users as otherwise permissible in respective Development Plans and the FSI of such lands shall be permissible to the extent as prescribed in Clause 7.2.

**7.1.4. In the Buffer zone of notified ESZ and in ESZ's, only those development activities and FSI as permissible under MoEF notification of the ESZ (as amended from time to time) under Environment Protection Act, 1986 shall be permitted. All the development in this buffer zones shall be in accordance with MoEF notifications.**

## **7.2 Permissible Floor Space Index (FSI) :**

**7.2.1** Notwithstanding anything contained in any regulation for the time being in force, **if premium as mentioned in 7.1.2 is paid by the proponent then** the basic permissible FSI for such project shall be 1.0 to be calculated on Gross Plot Area under Master Layout Plan without deducting any areas under the slopes, etc. to be calculated on Gross Plot Area.

**7.2.2** Further, **additional FSI on payment of premium** as mentioned below shall be permissible on payment of premium at the rate of **10%** of the weighted average land rate of the said land as prescribed in Annual Statement of Rates for the relevant year, without applying the guidelines therein. Such premium shall be paid at the time of Building permission.

<b>Area under Township</b>	<b>Additional built-up area on payment of premium</b>
40 hec. and upto 200 Hector.	Upto 70 % of basic permissible FSI
More than 200 hec. and upto 500 Hector	Upto 80 % of basic permissible FSI
More than 500 hec. Hector	Upto 100 % of basic permissible FSI

**7.2.3** Over and above the FSI as prescribed above, an additional FSI in lieu of construction of tenements for social housing shall be permissible as prescribed in Clause 9, without charging premium.

**7.2.4** It shall be permissible to utilise the maximum permissible built-up area as prescribed above, anywhere in the area under sanctioned Master Layout Plan.

## **7.3 Mandatory Town-Level Amenities - Area and FSI Allocations :**

Master Layout Plan shall provide for town-level area and FSI allocation, to be kept at one or more places, as follows :—

### **(a) Spaces for Recreation :**

<b>Sr.No.</b>	<b>Particulars</b>	<b>Minimum Area Required</b>	<b>Conditions</b>
i	Garden/s and Park/s	5% of Master Layout Area. (out of this 50% area may be allowed on Hill Top, Hill Slope Zone <b>and Buffer Zone of ESZ</b> )	Out of this at least 1000 sq. mt. area shall be kept open for Town Plaza/Town Square Such area shall be kept open and may be allowed to be proposed at suitable places. Major public amenities/activities shall be cluster around this area.
ii	Play Ground/s	7.5% of Master Layout Area (may be allowed in Buffer Zone of ESZ having slope less than 1: 5)	Maximum 10% of area under Play Ground which may accommodate indoor games, stadiums and allied users only.

**(Note -** These spaces shall be exclusive of open spaces to be required at sector-level layouts. **Notwithstanding anything contained in DCR of the authorities, 10% open space shall be provided in sector level layout).**



**(b) Spaces for combined School/s (Primary School/s + High School/s) -**

Sr. No.	Particulars	Minimum Area Required	Minimum Built-up Area required
i	For Master Layout area of 40 Ha.	5,000 sq.m.	5,000 sq.m.
ii	For Master Layout area more than 40 Ha.	To be increased proportionately with increase in Master Layout area and be proposed at one or more locations, as per requirements.	

*Note :*

(a) The requirements prescribed above are by considering School to be run in double shift,

(b) **40% area to be kept open for Play Ground purpose**

(c) **Community Health Care Facilities:-**

**Primary and Secondary Health Care Facilities like Dispensary, Maternity Home, Hospital etc.**

Sr. No.	Particulars	Minimum Area Required	Minimum Built-up Area required
i	For Master Layout area of 40 Ha.	1,000 sq.m.	1500 sq.m.
ii	For Master Layout area more than 40 Ha.	To be increased proportionately with increase in Master Layout area and be proposed at one or more locations, as per requirements.	

**(d) Community Market :**

Sr. No.	Particulars	Minimum Area Required	Minimum Built-up Area required
i	<b>General Market including Mutton and Fish Market</b>		
	For Master Layout area upto and inclusive of 200 Ha.	1,000 sq.m.	As per requirement
	For Master Layout area more than 200 Ha.	To be increased proportionately with increase in Master Layout area and be proposed at one or more locations, as per requirements.	
ii	<b>Vegetable Market</b>		
	For Master Layout area upto and inclusive of 200 Ha.	1,000 sq.m.	As per requirement
	For Master Layout area more than 200 Ha.	To be increased proportionately with increase in Master Layout area and be proposed at one or more locations, as per requirements.	

*Note :* Users mentioned in (i) and (ii) above may be clubbed together for convenience purpose, without altering the requirements in plot area and built-up area.

**(e) Public Assembly Facilities : Town Hall and/or Auditorium including Library**

Sr. No.	Particulars	Minimum Area Required	Minimum Built-up Area required
i	For Master Layout area up to and inclusive of 100 Ha.	5000 sq.m.	5000 sq.m.
ii	For Master Layout area more than 100Ha. and up to 200 Ha.	10000 sq.m.	10000 sq.m.
iii	For Master Layout area more than 200 Ha.	To be increased proportionately with increase in Master Layout area and be proposed at one or more locations, as per requirements.	

**(f) Economic Activities :**

Economic activities including users such as Market, Multiplex, Mall, Information Technology and Information Technology enabled Services (IT and ITeS) including SEZs, Essential Shopping, Recreational Centers, Trade and Commerce, Education, Hospitals, Non-polluting Industries, Service Industries, Entertainment, Tourism, Star Category Hotels, Convention Centers, Gymnasiums, Socio-economic activities, such as workshop, hostel for Autistic persons and Mentally **challenged** persons **old age home etc.** except independent residential tenements, etc. as per requirements.

Sr. No.	Particulars	Minimum Area Required	Minimum Built-up Area required
i	For Master Layout area of 40 Ha.	40000 sq.m.	80000 sq.mtr.
ii	For Master Layout area more than 40 Ha.	To be increased proportionately with increase in Master Layout area and be proposed at one or more locations, as per requirements.	

*Note :*

(i) Users as mentioned in b, c, d, e & f may be clubbed together, in Economic Activities Component, subject to condition that, total built-up area should not be less than the summation of minimum required for all such users, irrespective of their individual plot area requirements.

(ii) The required parking spaces for all such amenities as per norms shall be provided in same plot.

**(g) Public Utilities :****For Master Layout area of 200 Ha.**

Sr. No.	Particulars	Minimum Area Required	Permissible Built-up Area
i	Fire Brigade Station-	3000 sq.m.or as prescribed by the Director of Fire Services, Maharashtra State/ Chief fire Officer of the concern Authority.	As per recommendations of the Director of Fire Services, Maharashtra State/Chief fire Officer of the concern Authority.
ii	Sewage Waste Management Project (SWMP)	4000 sq.m.	As per requirements
iii	Cremation Ground	2000 sq.m.	As per requirements
iv	Burial Ground	2000 sq.m.	As per requirements
v	Bus Station / Transport Hub	3000 sq.m.	
vi	Police Station	1000 sq.m.	
vii	Electric Sub-station	As per requirement	
viii	Other Public Utilities	As per requirement	
ix	Public Parking Facilities	As per prevailing DCR	
x	Solid waste management	As per requirement	

**Note :** (i) If the facility of Cremation Ground/ Burial Ground is available in the village where the Township is located in such case these requirements need not be insisted subject to NOCs of respective Gram Panchayat.

(ii) If Police Station is available within 1k.m. area from the proposed Township, then such facility need not to be provided.

#### **(h) Transport & Communication :**

(i) The entire area of the project shall be well-knitted with proper road pattern, taking into consideration the linkages with existing roads within the project and outside area as well. All such roads shall be developed by the Project Proponent/s as per standard prescribed by the Indian Road Congress.

(ii) The width of the -

(i) Classified Road should not be less than as may be prescribed by concerned public authority;

(ii) Main / Arterial / Ring Road should be minimum right of way of 18 mt.

(iii) Other Sub-Arterial roads, Collector streets, local streets, etc., shall be proposed as per the requirements to cater to the need of occupancies on such roads including for pedestrians.

(iv) Network of cycle track in entire Township area of minimum width of 3 meter shall be provided without clashing **with** the vehicular traffic.

(iii) It may be permissible for Project Proponent/s, to realign the Development Plan Roads, and earlier existing roads passing through the project area, without changing the entry and exit points of such roads.

(iv) All the Development Plan Roads and all the Main / Arterial / Ring Roads, shall always be open for general public, irrespective of the fact that, they reside in the project or not.

#### **General Note for Amenities (a) to (h) :**

(i) The requirements prescribed above for items (a) to (f) are by considering FSI proposed for the project is only 1.0. If the FSI proposed is increased or decreased then the only built up area requirement shall be increased or decreased proportionately.

(ii) The requirements prescribed above for items (g) are for Master Layout area ~~up to & inclusive~~ of 200 Ha. It shall be increased or decreased proportionately and may be proposed at one or more locations, as per requirements.

#### **7.4 Residential Activities :**

Sr. No.	Particulars	Area	Built-up Area
i	Residential Activities (including lands required for social housing, infrastructure such as water storage, drainage and garbage disposal, etc.)	The land excluding the land required for purposes as shown 7.3 (a) to (h).	Remaining built-up area subject to minimum 60% of the total proposed built-up area.

#### **7.5 Share of Local/Planning Authority**

**The Integration of Integrated Township Projects included in the Local/Planning Authority, an area @ 2% of the gross area shall be earmarked and shall be handed over free of cost to the respective Authority for Development of the City Level Facilities.**

**For determining eligibility of ITP, the above 2% area shall be considered in area calculation. This area shall not contain area under hills lopes, and shall be accessible by major road. Base FSI of such 2% land shall be made available to the applicant on remaining land.**

#### **8. Development Control Regulations :**

For those aspects which are not covered under this regulation, the prevailing provisions as prescribed in the Standardised Development Control and Promotion Regulations for Development Plans in Maharashtra **or DCR of Respective Authorities**, shall apply *mutatis-mutandis*. The provisions of MoEF CRZ notifications amended from time to time shall also be applicable.

However **where in prevailing DCR of the respective authority the maximum height of building is not mentioned in such cases the maximum height** shall be allowed subject to provisions of Maharashtra Fire Prevention and Life safety measures Act 2006 and also any restriction imposed by Chief Fire Officer.

## 9. Social Housing :

**9.1** The Master Layout Plan shall provide sufficient space for construction of small tenements for persons from EWS and LIG categories (hereinafter referred to as the “Social Housing Component”), as a social responsibility with FSI as mentioned in Clause No 9.3. Out of this Social Housing Component 25 % FSI shall be utilised exclusively for construction of EWS tenements and remaining 75 % FSI shall be used for LIG tenements. Out of the total tenements constructed as Social Housing component, one third (1/3rd) tenements shall be kept for Rental Housing tenements which will be disposed on Rent only by the project Proponents.

**9.2** Social Housing tenements shall be constructed with area as specified by the MHADA for EWS and LIG category respectively.

**9.3** The minimum Social Housing component shall be constructed at 15% of the Residential basic FSI of the area available for Residential Development as prescribed in Clause 7.4 (hereinafter referred to as the “Social Housing component”).

**9.4** Social Housing tenements shall be constructed as per the general and special specifications prescribed by concerned unit of MHADA for their projects.

**9.5** The Project Proponent/s, after getting commencement certificate of Social Housing component as mentioned above shall immediately intimate to MHADA regarding the numbers of Social Housing Component to be disposed by them to the allottee. Upon such intimation, MHADA within a period of six months, from the date of receipt of such intimation after following procedure of lottery system shall prepare the list of the allottees and forward it to the Project Proponent/s. The project proponent shall dispose of such EWS housing tenements to the allottees **at the construction cost mentioned in ASR applicable of the year of disposal plus 20% additional cost. Out of this 20% additional cost, 10% shall be paid to MHADA towards administration charges.**

**If the allottees fail to deposit the amount within specified time limit, then the allotment shall stand cancelled and MHADA can give fresh names of allottees from waiting list within one month.**

Provided that if the MHADA is unable to provide the list of the allottee as mentioned above then the project proponent shall dispose of such social housing tenements in the market **at the construction cost in ASR applicable to the land of the year of disposal plus 10% additional cost.**

**9.6** Every Occupation Certificate for the regular tenements shall be granted only alongwith the Occupation Certificate in proportionate with Social Housing component.

**9.7** Amalgamation of such Social Housing tenements shall not be permitted in any case.

**9.8** The purchaser of tenement under social housing shall deposit an amount equivalent to 10% of the construction cost of tenement, as prescribed in Annual Statement of Rates prevailing at the time of occupation, with the Project Proponent/s as one-time maintenance deposit for onsite infrastructure maintenance.

**9.9** The Project Proponent/s shall maintain the premises and common spaces outside the building/s of social housing including concerned all basic infrastructure and amenities, in good condition in the same manner with the maintenance of remaining area of the project.

**9.10** The purchaser of tenement under social housing shall have to pay all the government taxes, duties like stamp duty, VAT, service tax, etc. at actual, to the Project Proponent/s, as per the requirement, from time to time.

## 10 Liability of Project Proponent/s :—

**10.1** The entire project shall be an integrated one with all facilities within the boundaries of such project. All the on-site infrastructure i.e. internal roads, approach road, street lights, water supply and drainage system shall be mandatory and constructed / maintained in future by the Project Proponent/s. Proposed internal roads and Open Spaces in the layouts shall be used only for ITP.

**10.2** The Development Plan Roads & Reservations which are included in ITP shall be Developed by project proponent and after development made available to the general public. Such reservations may be allowed to shift within 500 mt. (within Township Area Only) in consultation with Director of Town Planning M. S. Pune.

**10.3** It shall be the responsibility of the Project Proponent/s to **develop and** maintain all the infrastructure in good condition **till handing over to the appropriate authority.**

Provided that, the Project Proponent/s **shall** handover the infrastructure, for maintenance purpose, only after the completion of the project, to the Urban Local Body **or appropriate authority**, when constituted in the area comprised by the project **along with the unutilized corpus fund collected for maintenance purpose.**

**10.4 Project Proponent/s shall mandatorily provide facilities for making the project SMART —**

(i) **For** the people residing in the project area, an efficient and timely public transportation system up to the nearest public transportation station/hub/depot/stand. **He** shall develop **it himself** or tie with Government / Semi Government or private transport agency for such efficient public transportation. The number of buses and trips will be decided by MSRTC / Local Transport Authority ;

(ii) Continuous unobstructed footpath of minimum 2 m. width on either sides of all street/ roads width ROW 12 m. or more ;

(iii) Dedicated and physically segregated bicycle track with a width of 3 mt. or more, should be provided for entire Township Area ;

(iv) Pedestrian friendly pathways, encouragement to non-motorized transport, intelligent traffic management, non-vehicle street / zones, smart parking, energy efficient street lighting visible improvement in the area i.e. replacing **existing** overhead electric wiring with underground wiring, encroachment free public areas ;

(v) **Arranging** generation of power through non-conventional energy sources like solar, wind and other shall be mandatorily provided with at least 10% of total requirement **of common physical infrastructure of the project;**

(vi) **To provide** energy management by adopting advanced technology like installing Solar Water Heating System, Solar Lamps/Lights in common areas, LED Lamps, auto-operated street lights, solar pumps, etc. all external lighting shall be of LED, Solar Water Heating System, Solar Lamp shall be compulsorily provided;

(vii) **To provide** effective water management by adopting water harvesting techniques like rain water harvesting, recycling of used water, metered water supply to the users under project, double plumbing pipeline .The recycled water shall be used for flush system, gardening, carwash and industrial use;

(viii) **To provide** effective safety & security measures like CCTV surveillance at strategic locations, centralized control room, etc.;

(ix) **Arranging** smart and fast internet/broad band connectivity to all residences, e-governance online system for grievance redressed;

(x) **Encouraging and providing platform for** citizens participations in decision making about public community issues ;

(xi) **Arranging** real time environmental monitoring i.e. air pollution, noise pollution etc. shall be observed ;

(xii) **Encouraging and providing platform for e-DCR** for building plans with BIM, 3-D maps on GIS of the utility services network and properties in the city, central command, control and emergency response center for all infrastructure facilities. Project Proponent/s shall also provide urban design concept plans along with Master Plan.

(xiii) It shall be obligatory on the part of Project Proponent/s to provide the infrastructure and green building norms that are necessary as per the guidelines as may be laid down by the Government, under the policy of development of 'Smart City' from time to time.

(xiv) Ensure that the buildings have at least 3 star ratings from GRIHA.

#### **10.5 Project Proponent/s shall also mandatorily provide for :—**

**(a) Water Supply-** Safe and potable drinking water at the rate of 90 liters per capita per day, exclusive of requirement of water for firefighting and gardening purposes. The storage capacity of the same shall be at least 1.5 times of the actual required quantity as determined by expected population (Resident and Floating) and other uses. The Project Proponent/s would be required to develop proper internal distribution with double pipe plumbing **for reuse of treated water at appropriate places** and maintenance system along with smart metering and shall specially undertake rain water harvesting, groundwater recharging and waste water recycling within the project.

Provided that, the Project Proponent/s should not use groundwater as a source of water, to meet the above requirement.

**(b) Drainage and Garbage Disposal:-** The Project Proponent/s shall make suitable and environment friendly arrangements for the disposal and treatment of sewage and solid waste generated in the project at source, as per the norms of the Maharashtra Pollution Control Board. The Project Proponent shall provide zero discharge in ITP for solid as well as liquid based.

The Project Proponent/s should provide facilities for water conservation by different means such as Rain Water Harvesting, Recycling of Waste Water, etc. and also set-up, in the project area itself, the Solid Waste Management Project (SWMP) with a sufficient capacity for processing of 100% garbage and solid waste so that it should be zero liquid discharge to city from the area.

**(c) Power:-** The Project Proponent/s shall ensure continuous and quality power supply for the project area. The Project Proponent/s may draw the power from any existing supply system or may go in for arrangement of captive power generation with the approval from the concerned authority. If power is drawn from any existing supply system, the Project Proponent/s shall, before commencement of development, procure a firm commitment of power for the entire Township from the power supply company.

#### **11 Occupancy Certificate :—**

**11.1** Application for obtaining the Occupancy Certificate for project, in full or part shall be submitted by Project Proponent/s to the respective Planning Authority. Such application shall be accompanied by —

(a) All the relevant documents alongwith coloured **Google Earth** image showing the area under Master Layout Plan;

(b) Documents showing compliance of the conditions prescribed while according sanctions from time to time;

(c) Appropriate declaration/s and undertaking/s made by the Project Proponent/s and his technical personnel's;

(d) Any other requirement as may be prescribed by the Planning Authority.

**11.2** On receipt of application as prescribed under Clause 11.1, the Planning Authority shall forward the same to the concerned branch for technical consultation, within 10 working days.

**11.3** The concerned branch of Planning Authority shall send his remarks to the Municipal Commissioner / Chief Officer within one month from the receipt of proposal or receipt of reply from the Project Proponent/s in respect of any requisition made by him, whichever is later.

**11.4** The Planning Authority shall grant Occupancy Certificate or reject the application **giving specific reason** within **fifteen days** from the receipt of reply from the concerned branch.

**11.5** The Municipal Commissioner / Chief Officer, before issuing the Occupancy Certificate for the project as a whole, shall verify and satisfy himself about the completion of erection / development/construction of all the basic required infrastructure in Master Layout plan. In case, an application for part occupancy, such completion shall be as prescribed in phase programme.

## **12. General Stipulations:-**

**12.1** Development of basic infrastructure and amenities shall be completed by the Project Proponent/s to the satisfaction of the Collector either for whole or as per phases, of the project.

**12.2** It shall not be mandatory for the Project Proponent/s to provide Amenity Space as otherwise required as per regulation of Development Plan, if any.

**12.3** The Project Proponent/s shall plant indigenous trees at the rate of at least 150 trees per ha. and maintain it properly. The certificate to that effect issued by the Deputy Conservator of Forest or an Officer nominated by him for this purpose shall be produced by Project Proponent/s at the time of application for Final Occupation Certificate under Clause 11.

**12.4** All the powers and functions, that are supposed to be exercised by the **Authority** under this regulation shall be exercised by the Chief Officer / Chief Executive Officer, Commissioner /Metropolitan Commissioner of the concerned Planning/Local Authority wherever applicable, excepting the powers to grant Letter of Intent under Clause-5 of this regulation.

Provided that, before grant or refusal to the Master Layout Plan, the Chief Officer / Chief Executive Officer , Commissioner /Metropolitan Commissioner of the concerned Planning/Local Authority shall, consult the, concerned Divisional Joint Director of Town Planning as prescribed in Clause-6.3 and 6.4, if the Planning Officer posted in such Authority is below the rank of Joint Director of Town Planning, and to the concerned branch office of Town Planning as prescribed in Clause-6.6 and 11, if the Planning Officer posted in such Authority is below the rank of Assistant Director of Town Planning.

**12.5** All the amounts of scrutiny fees, charges, premium etc. payable to the Government shall be deposited with the concerned Branch office of the Town Planning. In circumstances described in proviso of Clause 1 above, 50% of such amount shall be deposited with the concerned Branch office of the Town Planning, and 50% to the concerned Planning Authority.

**12.6** The Project Proponent/s shall submit a bank guarantee of an amount equal to the 15% of estimated development cost required for development of the basic **Physical** infrastructure such as roads, water supply, drainage & garbage disposal, **Trunk** installations for power supply, fire brigade station & fire engines. Such development cost be worked out as per respective phases taking into consideration the phased programme for development of infrastructure with amenities under project as submitted and as required under clause 6.1. Certificate regarding estimated development cost shall be produced by the respective Architect of the project.

**12.7** The Project Proponent/s shall construct and maintain the Fire Station at their cost. The project proponent shall post a well-trained staff at fire station as per the recommendations of the Director of Fire Services, Maharashtra State/ chief fire officer of the concerned Authority. The amount of all expenditure on such staff shall be the responsibility of the Project Proponent/s. After completion of fire station and as per requirement such fire brigade/station shall be handed over to the nearest respective authority on the terms and condition decided by the respective authority and project proponent.

**12.8** Developer shall complete the Special Township Project within 10 years **or such period as allowed by the Government** from the approval to the master plan. Developer shall develop and maintain all infrastructure (internal street light, roads etc.) up to the completion of the STP project. Within such **period or till the authority is formed as per clause no.12.9, the concession in property tax levied by the respective Planning Authority shall be 50% of normal rate as prescribed under the Maharashtra Municipal Council, Nagar Panchayat and Industrial Town ship Act, 1965 or Maharashtra Municipal Corporation Act. Such property tax shall be levied after the actual possession or issuing of Occupancy Certificate whichever is earlier.** Respective Planning Authority shall provide mandatory provisions like Birth and Death Registration Certificate etc. for the same period in such STP. Provided that the utilities

like fire brigade, police station/chauki etc. shall be handed over to the nearest respective Authority **at the** terms and condition decided by the respective authority.

**12.9** A local Authority shall be formed under section 3 read with section 341 of the Maharashtra Municipal Council, Nagar Panchayat and Industrial Town ship Act 1965 according to population of such town ship. The newly formed respective authority shall take over the operation maintenance of infrastructure in the Integrated Township Project area with the previous approval of Government. However, if the area under ITPs merged in any Local Authority then operation and maintenance of infrastructure in such Integrated Township Project area shall be made by the respective Local Authority.

**12.10** Licensing to the Project Proponent/s - The respective Authority shall provide licenses to the Project Proponent/s for telephone Connection, Power and other utilities in the Town ship area. After granting the license from the respective Authority, the project proponent/s shall provide utilities in the Town ship area as per the conditions laid down by the respective authority.

**12.11** It shall be mandatory for the Project Proponent/s to provide **appropriate width of road** to the land not owned by the project proponent which is surrounded by the Township Area.

### **13. Special Concessions :-**

**13.1 Deemed conversion for Non-Agricultural (N.A.) Use:-** The lands under approved Master Layout Plan shall be considered as deemed N.A. No separate permission shall be required under the provisions of Maharashtra Land Revenue Code, 1966. **The amount of nonagricultural assessment shall be exempted to the extent of 50% of the normal rate for the land under Integrated Township Project.**

**13.2 Grant of Government land :-** The Government land/s, if surrounded **or adjacent** by the lands owned by the Project Proponent/s, may preferably be granted to the Project Proponent/s, as per the rules and regulations to that effect, by the Revenue and Forest Department of the State Government. Maximum 10% of the total area under township shall be allowed to be included in such township.

**13.3 Concession in Stamp Duty :-** For the purchase of land by project proponent for township area or first transaction, from Project Proponent/s to Purchaser, of any unit under any user, from approved Master Layout Plan or subsequent building plan under this Regulation, concession of 50% of stamp duty as otherwise required under the Mumbai Stamp Act, shall be granted. **This concession will be available only at one stage i.e. either at the time of land purchase or at the time of sale of units. Also, if the project proponent assigns the rights to his own subsidiary companies for the running of the Amenities in such Township project as per the approved plan in such cases concession of 50 % of stamp duty as otherwise required under the Mumbai Stamp Act, shall be granted.**

**13.4 Exemption in payment of Development Charges :-** The amount of Development Charges under sub-section (3) of Section 124F of the said Act shall be exempted to the extent of 50% for institution of use or, change of use of any land or building or, development of any land or building, proposed for project undertaken by a Project Proponent/s under this Regulation.

**13.5 Relaxation from Mumbai Tenancy and Agriculture Land Act :-** The condition that, only the agriculturist will be eligible to buy the agriculture land shall not be applicable to the Project Proponent/s for purchasing agriculture land for Integrated Township under this Regulation.

**13.6 Exemption from Ceiling for holding agriculture land :-** The limit for holding agriculture land, stipulated in the Maharashtra Agricultural Lands (Ceiling and Holdings) Act, 1961 shall not be applicable to the Project Proponent/s for development of Integrated Township Project under this Regulation.

**13.7 Exemption from scrutiny fee :-** The amount of scrutiny fee shall be exempted to the extent of 50% of the normal rate for building permission under Integrated Township Project.

**13.8 Exemption from royalty on minor minerals :-** The amount of royalty on minor minerals as per the Maharashtra Minor Mineral Extraction (Development and Regulation) Rules shall be exempted to the extent of 50% for the earth which is extracted while developing the land within Township area and fully exempted if the said excavated material is used in the same project.



#### 14. Transition Policy :

**14.1** It shall be permissible for the Project Proponent/s, to whom Special Township Project has already been granted location clearance and / or LOI or the project is ongoing wherein part Occupancy Certificate is granted subject to.—

(a) Continue such Integrated Township Project under the erstwhile regulations under which LC is granted **without considering these regulations** ;

(b) If the project proponent wishes to develop township according to these regulations then he may apply for grant of Letter of Intent or Master Layout Plan as the case may be **wherever required**, under this regulation and may be **allowed to develop according to these regulations. The premium already paid may get adjusted as per the percentage mentioned in clause No.7.1 and 7.2 of these regulations.**

**14.2** If in case as described in Clause 14.1(b), the construction of the project is on-going and the Occupation Certificate, either in full or part has been granted or not been granted, it shall be permissible for the Project Proponent/s to choose an option to prefer this regulation subject to payment of premium as prescribed in Clause 7.1 and 7.2. **In such cases premium shall be calculated on balance area.**

**15. Appeal :** Anyone aggrieved by an order passed under prevailing byelaws may within forty days of the date of communication of the order prefer an appeal to the Director of Town Planning, Maharashtra State, Pune. The appeal shall be **decided** within 60 days.

**16. Control by the State Government -** Director of Town Planning M.S Pune is authorised on behalf of Government to monitor the Township Project and submit his report once in six months to Government.

**17. Government may relax any provisions from these regulations considering the site condition of the particular project.**

**18. The rate of premium mentioned in the Regulation No.7.1.2 and 7.2.2 can be revised by the Government from time to time.**

सदरहू सूचना शासनाच्या [www.maharashtra.gov.in](http://www.maharashtra.gov.in) (कायदे/नियम) या संकेतस्थळावर प्रसिद्ध करण्यात आली आहे.

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नावाने,

**संजय सावजी,**  
शासनाचे उप सचिव.

**URBAN DEVELOPMENT DEPARTMENT**

Mantralaya, Mumbai 400 032, dated the 22nd March 2018

**Notice**

MAHARASHTRA REGIONAL AND TOWN PLANNING ACT, 1966.

**No. TPS-1816/CR-368/16/Part-I/DP-ITP/UD-13.**—Whereas, the Government has sanctioned various Development Plans (hereinafter referred to as ‘the said Development Plans’) along with their Building Bye-laws and Development Control Regulations (*hereinafter referred to as ‘the said Development Control Regulations’*) for **All Local Authorities and Planning Authorities including Special Planning Authorities** (*hereinafter referred to as ‘the said Planning Authorities’*) under the provisions of the **Maharashtra Regional and Town Planning Act, 1966** (*hereinafter referred to as ‘the said Act’*);

And whereas public housing has been one of the major concern of Policy Planning. It has been realised that there is a need to incentivise investment by private sector in development of housing. Considering this, the Government of Maharashtra earlier finalized the Special Township Policy (hereinafter referred to as the “said STP Policy”) in the year 2006 and subsequently the provision for implementation of the said STP policy (hereinafter referred to as the “said STP Regulations”) has been included in the respective Development Control Regulations of the said Planning Authorities ;

And whereas, Government has made subsequent amendments in the said STP Regulations from time to time ;

And whereas, the words Special Township Project are replaced by an Integrated Township Project by the amendment made in the said Act *vide* Maharashtra Act, 43 of 2014 with effect from 22 nd April 2015 and henceforth referred to as an Integrated Township Project (hereinafter referred to as the “said ITP”) ;

And whereas, it is under consideration of the Government that the present said STP Regulations will be modified substantially in order to utilise the maximum development potential of land, to increase the supply of affordable houses in the market and to bring clarity / simplification in the process of approval ;

And whereas, in view of the above and after decision of the State Cabinet dated 14th February 2018, the Government is of the opinion that the said existing STP Regulations of the said Planning Authority should be replaced by the new set of **Revised ITP Regulations** appended herewith in **Annexure-B** (hereinafter referred to as the said “**Proposed Modification**”);

And whereas, the Government, found it expedient in the public interest to take recourse of the provision contained in Section 37(1AA)(a) of the said Act to incorporate the said **proposed modification** in DCR of the said planning authorities.

Now therefore, in exercise of the powers conferred by Clause (a) of sub-section (1AA) of Section 37 of the Maharashtra Regional and Town Planning Act, 1966 (Mah. XXXVII of 1966) and all other powers enabling in that behalf, the Government of Maharashtra hereby, declares its intention to incorporate the said **proposed modification** in the Development Control Regulations of the said respective Planning Authorities and for that purpose publishes a notice for inviting suggestions/objections from any person with respect to the said proposed regulations within a period of one month from the date of publication of this notice in the *Maharashtra Government Gazette*.

Any objections and suggestions to the said proposed modifications with reasons be forwarded before the expiry of one month from the date of publication of this notice in *Maharashtra Government Gazette* to the concerned **Divisional Joint Director of Town Planning** who is hereby authorised as an **Officer** under section 162 of the said act on behalf of Government. The

addresses of the officers appointed to submit objections and suggestions is as shown in **Annexure-A**. The objections or suggestions, which may be received by the concerned Officer appointed, shall be considered and opportunity of being heard shall be given. Concerned Officer appointed under section 162 of the said act, is hereby authorized to give hearing and to submit his report to the Government. The Government will take final decision in accordance with the provision of the section (1AA) (c) of Section 37 of the said act.

This notice shall be kept open for inspection to the general public in the following offices for the above period on all working days.

(i) Office of the Director of Town Planning, Central Building, Pune ;

(ii) Office of the Joint Director of Town Planning, Pune, Nashik, Nagpur, Konkan, Aurangabad, Amravati Division;

**Annexure - A(अनुसूची अ)**

**(Accompaniment to the Government in Urban Development Department Notice bearing No. TPS-1816/CR-368(Part-I)/15/DP-ITPUD-13, dated 22/03/2018)**

Sr.No.	Name of Division	Appointed Officer	प्राधिकृत अधिकारी
1	Pune Division	Joint Director of Town Planning, Pune Division, Pune, S. No.74/2, Sahakarnagar, Sarang Society, above Bank of Maharashtra, Pune 411 009.	सह संचालक, नगर रचना, पुणे विभाग, पुणे, स.नं.७४/२, सहकार नगर, सारंग सोसायटी, बँक ऑफ महाराष्ट्रच्या वर, पुणे ४११ ००९.
2	Nagpur Division	Joint Director of Town Planning, Nagpur Division, Nagpur, Old Secretariat, Room No.108/109, First Floor, Civil Lines, Nagpur 440 001.	सह संचालक, नगर रचना, नागपूर विभाग, नागपूर, जुने सचिवालय, रुम नं. १०८/१०९, पहिला मजला, सिव्हिल लाईन्स, नागपूर ४४० ००१.
3	Aurangabad Division	Joint Director of Town Planning, Aurangabad Division, Aurangabad, MHADA Building, Second Floor, Opp. Hotel Printravel, Station Road, Aurangabad 431 001.	सह संचालक, नगर रचना, औरंगाबाद विभाग, औरंगाबाद, म्हाडा बिल्डिंग, दुसरा मजला, हॉटेल प्रिन्ट्रवेल च्या समोर, स्टेशन रोड, औरंगाबाद ४३१ ००१.
4	Nashik Division	Joint Director of Town Planning, Nashik Division, Nashik, New Central Administrative Building, First Floor, Divisional Commissionerate, Nashik Road 422 001.	सह संचालक, नगर रचना, नाशिक विभाग, नाशिक, नवीन मध्यवर्ती शासकीय इमारत, पहिला मजला, विभागीय आयुक्त कार्यालय, नाशिक रोड ४२२ ००१.
5	Amravati Division	Joint Director of Town Planning, Amravati Division, Amravati, "Nilgiri", Dr. Agarwal Building, Vijay Colony, Congress nagar Road, Amravati 444 606.	सह संचालक, नगर रचना, अमरावती विभाग, अमरावती, "निलगिरी", डॉ. अग्रवाल बिल्डिंग, विजय कॉलनी, काँग्रेस नगर रोड, अमरावती ४४४ ६०६.
6	Konkan Division	Joint Director of Town Planning, Konkan Division, Navi Mumbai, Konkan Bhavan, Third Floor, CBD Belapur, Navi Mumbai 400 614.	सह संचालक, नगर रचना, कोकण विभाग, कोकण भवन, तिसरा मजला, सीबीडी बेलापूर, नवी मुंबई ४०० ६१४.

**Annexure - B (अनुसूची ब)**

**(Accompaniment to the Government in Urban Development Department Notice Bearing No. TPS-1816/CR-368(Part-I)/15/20(3)UD-13, dated 22/03/2018)**

**DRAFT REVISED REGULATION FOR DEVELOPMENT OF  
'INTEGRATED TOWNSHIP PROJECT (ITP)**

**1. Applicability :**

These regulations shall be applicable to the areas under Development Plans including areas under jurisdiction of SPAs and ADAs within Regional Plan / Development Plan sanctioned under the provisions of Maharashtra Regional and Town Planning Act, 1966 (hereinafter referred to as "the said Act"). **These Regulations shall also be applicable to all Local / Planning Authority areas.** These Regulations shall be applicable only after final sanction by Government under the **related provisions of the said act.** Till then existing regulations shall remain in force.

Provided that, if the Development Control Regulations regarding development of Integrated Township Project for an area over which a Planning Authority /Special Planning Authority/Area Development Authority has been appointed or constituted or deemed to have been appointed are yet to be sanctioned, then in considering the application for permission, these regulations, shall be applicable, *mutatis mutandis*, till such Authority adopts the Regulations in this regard.

If the ITP falls within the jurisdiction of more than one authority **then** in such cases Government **can** issue directives at the time of Locational Clearance **or at any time** regarding **which authority will give permission and supervise the project subject to terms and conditions as may be specified.**

**2. Requirements of Site :**

The area proposed for Integrated Township shall fulfill the following requirements :—

(i) Any suitable area having area of 40 hect. (100 Acres) or more at one place.

(ii) The area shall be one, contiguous, unbroken and uninterrupted. Provided that, such area if divided by one or more water courses (such as nalas, canals, etc.), existing or proposed roads of any width or by railways etc., shall be treated as one, contiguous, unbroken and uninterrupted, subject to condition that the Project Proponent/s shall construct necessary connecting roads or bridges as per site requirements at his own cost with due permission from concerned authorities. **Integrated Township area may also include;**

**(a) Lands in afforestation zone provided that such land is not a forest land and subject to no construction being allowed on land having slope more than 1:5.**

**(b) Lands area under notified SEZ subject to denotification from concerned authority before granting LoI.**

**(c) Lands within the buffer zone of National Park subject to restriction on development permissible in such buffer zone and subject to NOC of Forest Department.**

**(d) Tribal land if permission granted under MLR code, Government lands allotted to project proponent subject to clause 13.2.**

**(e) Private forest land that have been restored back after completion of section 22(a) Enquiry of Maharashtra Private Forest Act, 1975 shall be allowed to be part of the ITP with the condition that development permission shall be granted on such land only after necessary permission under the provision of forest conservation Act, 1980.**

**(f) Eco-sensitive Zone notified subject to all restriction on development and FSI permissible in such buffer zone.**

**(g) Areas under flood line / flood zone subject to clearance from Water Resource Department.**

**(h) Areas under Hill Top / Hill Slope Zone, Buffer Zone etc. as shown on Development Plan subject to condition as mentioned in Clause 7.1.3. However total of these areas mentioned at (a) to (h) above shall be restricted to maximum 40% of total area under ITP.**

**(iii) If the Integrated Township area is more than 200 Ha., it can be segregated as long as each parcel is more than 40 Ha. and is located within a radius of 5 kms. Provided that the land use mix is maintained in each parcel.**

**(iv) The area shall have an access by means of an existing, or proposed road having minimum width of 18 mt. In case of proposed road, such area shall have an access by existing road having width 12 m. for the purpose of declaration of locational clearance and LoI of such project but it is necessary to the project proponent to have an existing access of 18 mt. before sanction of Commencement Certificate beyond 25% of project.**

**(v) The ITP Area shall not include the area under :—**

- (a) Notified forest, (excluding the private forest land subject to NOCs of forest Department.)**
- (b) Water bodies like river, creek, canal, reservoir, etc. Mangroves, Tidal Zone, Mud Flats.**
- (c) The area under Notified National Parks.**
- (d) Defence Estates.**
- (e) Cantonment Boards.**
- (f) Any restricted area.**
- (g) Designated port/harbour areas, wildlife Corridor and biospheres reserves, Gaathan/Congested Area.**
- (h) The historical and archaeological places notified under the relevant act.**
- (i) Any other area that may be declared by the Govt. of Maharashtra from time to time.**

### **3. Ownership of Lands :**

The project proponent/s shall have the ownership of all the land parcels under project.

**(Explanation -** for this clause, ownership includes rights accrued vide one or more registered Development Agreement/s or Power of Attorney (PoA) for such development and disposal, on behalf of land owner/owners).

### **4. Permission and Declaration of Project by State Government :**

**4.1** The Project Proponent/s shall apply to the State Government for obtaining permission and declaration of such project to be a “Integrated Township Project”. Such application shall be accompanied by the following attested documents in two sets :—

- (a) Details of ownership of land viz. extracts of V.F.No. 7/12 or Property Register Cards, in original having date not more than six months prior to the date of submission. In case of rights accrued through registered Development Agreement or PoA, attested copies of such documents.**
- (b) Self-attested list of S.No./G.No./CTS showing name of owner as per record of rights, total area of such land parcel, area owned by the applicant in such land parcel, the name of person/ company owning the Development Rights, area proposed to be included in project from such land parcel.**
- (c) Part plan of sanctioned Development Plan, showing all the lands falling in the project.**
- (d) No Objection Certificate from the officer at Divisional level, Water Resources Department in respect of lands falling in “Command Area” of any Irrigation Project unless these powers are exercisable by the higher authority.**
- (e) Village maps showing the lands falling in the project.**

(f) Certificate from concerned Forest Officer not below the rank of Dy. Conservator of Forests **at Divisional level (unless these powers are exercisable by higher authority)**, showing that the lands under project do not form part of and not included in reserved forest or protected forest or non-classified forest or not acquired under the provisions of the Maharashtra Private Forest (Acquisition) Act, 1975 and also, confirming that such lands do not form part of the Notified National Parks, prohibited area of Notified Wildlife Sanctuaries and Notified Bird Sanctuaries.

(g) Certificate from the concerned revenue officer not below the rank of Tahasildar, showing the lands under project do not include lands belonging to **tribal or that tribal land included in ITP have necessary permission under MLR code**.

(h) Certificate from the Director of Archaeological Department, Maharashtra State, showing that the lands under project do not include monuments notified by the Archaeological Department, Heritage buildings and Precincts. Such certificate should also mention the distance to be kept around such places, if any.

(i) Receipt of processing fee (non-refundable) paid, at the concerned branch office of the Town Planning Department, at the rate of Rs. 5000 per ha. for the current year with the yearly rise of Rs. 500 per ha. starting from the month of January every year.

**4.2** On receipt of an application under Clause 4.1 above, the Government may, after consulting the Director of Town Planning, Maharashtra State, by notification in the *Official Gazette*, grant the locational permission and declare such project to be a “Integrated Township Project”, subject to such general and/or special conditions or, reject the application, under the provisions of Section 18(3) of the said Act, within a period of 90 days from the date of receipt of application or reply from the Project Proponent/s in respect of any requisition made by the Government, whichever is later. **If the project proponent fails to comply with the conditions specified while granting location clearance within the specified time limit, then in such cases location clearance given earlier stands automatically cancelled and no refund or adjustment of premium / fees / expenses etc. shall be eligible.**

(*Explanation.*—In circumstances described in proviso of Clause 4.2, such grant of permission and declaration of project shall be made under the provisions of Section 18(3) read with Section 44(2) of the Maharashtra Regional and Town Planning Act, 1966).

**4.3** Every such permission and declaration shall remain in force for a period of two years, if not applied for Letter of Intent under Clause 5, from the date of issue of Locational Clearance Notification and thereafter it shall lapse :

Provided that, the Director of Town Planning, Maharashtra State, Pune may, on application made by Project Proponent/s before expiry of the above period extend such period by two years in aggregate. Provided also that, it is not mandatory on Project Proponent/s to submit all the papers afresh as prescribed under Clause 4.1, however the affidavit regarding the ownership of land about any dispute shall be mandatory.

**4.4** Such lapse shall not bar any subsequent application for fresh proposal.

**4.5** The Director of Town Planning, Maharashtra State, on the request of Project Proponent/s, by notification in the *Official Gazette*, may grant to add or delete any area, not exceeding 25% of the total area under Locational Clearance, subject to condition that the remaining area shall not be less than 40 Hect. The permissible FSI and other parameters shall increase or decrease accordingly.

## **5. Letter of Intent (LOI) by the Collector :**

**5.1** The Project Proponent/s shall apply to the Collector for obtaining Letter of Intent for such project. Such application shall be accompanied by the **ownership** documents as prescribed in Clause 4.1(a) & 4.1(b) and **with locational clearance notification issued by the Government**.

**5.2** The Collector shall verify and satisfy himself that Ownership and Development Rights of all the lands under project are with the Project Proponent/s before issuing the Letter of Intent.

**5.3** On receipt of an application under Clause 5.1 the Collector shall grant Letter of Intent for the whole area or separately for any part thereof, which shall not be less than 40 Ha. at the first instance, subject to conditions as may be deemed fit, or reject the application, within a period

of 45 days from the date of receipt of application or reply from the Project Proponent/s in respect of any requisition made by the Collector, whichever is later :

Provided that, in case of rejection, the Collector shall **mention** the grounds for such refusal.

**5.4** Every such Letter of Intent shall remain in force for a period of two years, if not applied for Development Permission under Clause 6, from the date of issue of Letter of Intent, unless renewed. Provided that, the Collector may, on application made by Project Proponent/s before expiry of the above period extend such period by two years in aggregate. Provided also that letter of intent granted by collector under earlier regulations may also be extended subject to other conditions of these regulations.

## **6. Master Layout Plan Approval by the Authority :**

**6.1** The project proponent/s shall apply to the concerned **Authority** for obtaining the approval to the Master Layout Plan of the entire area as per Letter of Intent. Such application shall be accompanied by the documents in two sets as prescribed below :—

- (a) Attested copy of Gazette Notification issued by the Government under Clause 4.2.
- (b) Attested copy of Letter of Intent issued by Collector under Clause 5.
- (c) Part plan of sanctioned Development Plan, showing the lands under the Master Layout Plan.
- (d) Village Map showing the lands under the Master Layout Plan.
- (e) In case, project has no access from existing road having right of way of 18 m. then documents showing the ownership of Project Proponent/s in lands proposed for 18 m. wide access road.
- (f) Bank Guarantee of requisite amount as prescribed in Clause **12.6**
- (g) Undertaking and Affidavit as may be prescribed by the Collector / Municipal Commissioner / Chief Officer / Chief Executive Officer of Planning Authority / Special Planning Authority.
- (h) Copies of Master Layout Plan with or without Building Plans in three sets with sign of owner/developer and architect.
- (i) Contour map showing contour levels of lands under Master Layout Plan. Trueness of the contour shall be certified and attested by the surveying agency and the Project Proponent/s under their signature and seal.
- (j) Colored **google earth** image showing lands under Master Layout Plan.
- (k) Phased Program for development of **physical** infrastructure with amenities under project.

**6.2** If the application is not accompanied by the documents mentioned in Clause 6.1, **Authority** shall **convey** the same to the Project Proponent/s immediately within 10 working days **giving specific time period for fulfilment of such documents and if the same are not submitted by the said project proponent in given time then return the proposal** at his level only.

**6.3** On receipt of application, complete in all respects, as prescribed under Clause 6.1, the Authority shall forward the same to the concerned Divisional Joint Director of Town Planning for technical consultation within 10 working days.

**6.4** The office of the Divisional Joint Director of Town Planning shall send its remarks to Authority within two months from the receipt of proposal or receipt of reply from the Project Proponent/s in respect of any requisition made by him, whichever is later. Such master layout approval will be given with the condition that project proponent will not commence work without environmental clearance. Such environmental clearance shall be submitted at the time of sanction to the building permission. Sanctioned master Plan layout alongwith complete set of drawings shall be endorsed to the concerned branch office of Town Planning Department **or to the Authority wherever required** for the **further permissions**.

**6.5 Approval to the Master Plan :-** The Authority shall grant approval to the master layout or reject the application, within one month from the receipt of reply from the Divisional Joint Director of Town Planning as mentioned in 6.4.

**6.6 Approval to the building plan :-** Detailed building permission under the master layout plan sanctioned as per clause 6.5 shall be granted by the Assistant Director of Town Planning Branch Office or Town Planning Officer of concerned Authority, as the case may be, within 30 days from the receipt of the proposal from the project proponent as mentioned in 6.6.1.

**6.6.1** The Project Proponent/s shall apply to the concerned Planning Authority / Special Planning Authority or Branch office of Town Planning, as the case may be, for grant of building permission, alongwith all relevant documents and attested copy of Environment Clearance for the project from MoEF or the Authority empowered by the MoEF.

**6.6.2** The Project Proponent/s shall submit the certificate of Architect regarding completion of plinth stating that the construction of plinth is as per the approved building Plans to the concerned Planning Authority / Special Planning Authority or Branch office of Town Planning, as the case may be, alongwith approved Plan. The Planning Authority / Special Planning Authority shall verify the same **within stipulated time period**. If it is found that the construction of plinth is not as per the building permission sanctioned, the said office shall reject such plinth checking certificate. In such circumstances, the Project Proponent/s shall **either** demolish the said plinth **or get the revised plan sanctioned according to changes..** If it is found that the construction of plinth is as per the building permission sanctioned, then grant of plinth checking certificate is not necessary .—

**However notwithstanding anything mentioned above, before grant or refusal to the Master Layout Plan, the Authority shall, consult the, concerned Divisional Joint Director of Town Planning as prescribed in Clause-6.3 and 6.4, if the Planning Officer posted in such Authority is below the rank of Joint Director of Town Planning, and to the concerned branch office of Town Planning as prescribed in Clause-6.6 and 11, if the Planning Officer posted in such Authority is below the rank of Assistant Director of Town Planning.**

## 7. Planning Considerations :

### 7.1 Permissibility in respect of Zoning :

**7.1.1** Notwithstanding anything contained in any regulation for the time being in force, the project to be notified under this regulation may be permissible in any land-use zone/s of sanctioned Development Plan, excepting areas mentioned in Clause 2(iv).

**7.1.2** For the areas falling in zones, other than residential, commercial and U1 and U2 zone as per the sanctioned Development Plan, the Project Proponent/s shall have to pay a premium for permitting project in such zones at the rates prescribed below :—

Sr. No.	Type of Zone	Premium Charges	Revised Premium
a	Afforestation Zone, Hill Top and Hill Slope Zone as shown on Development Plan	20 %	<b>10 %</b>
b	Public / Semi-public Zone, Industrial Zone, <b>TH and LP</b>	10 %	<b>5 %</b>
c	Agriculture/ No Development Zone/G1 zone / <b>Low Density Residential Zone / Buffer Zone of ESZ</b> and other zones excepting at Sr. No. a and b above.	15 %	<b>8 %</b>

(*Explanation.*— Premium charges shall be calculated by considering the agriculture land rate of the said land as prescribed in Annual Statement of Rates (ASR) without applying the guidelines. **If agriculture land rate is not mentioned in ASR, in such cases the premium is calculated considering guideline of ASR for converting into agriculture rate.** Out of total premium **10 %** shall be paid at the time of Locational Clearance, **10 %** paid at the time of letter of Intent and **20 %** at the time of sanctioning of Master Layout Plan and remaining **60 %** shall be in four equal installments per year **and subject to interest as decided by the authority**)



**7.1.3 Restriction on development** - No construction shall be permitted on the lands within the HFL. Land in Hill Top and Hill Slope Zone and on lands having slope equal to or more than 1:5 in the said Project, whether specifically marked as such on the Development Plan or not. No development of any sort and activity involving cutting / leveling / filling shall be permissible on such **sloping** lands. Provided that, it shall be permissible to use such lands for Plantation, Park, Garden purposes, access road to township development with minimum cutting and other users as otherwise permissible in respective Development Plans and the FSI of such lands shall be permissible to the extent as prescribed in Clause 7.2.

**7.1.4. In the Buffer zone of notified ESZ and in ESZ's, only those development activities and FSI as permissible under MoEF notification of the ESZ (as amended from time to time) under Environment Protection Act, 1986 shall be permitted. All the development in this buffer zones shall be in accordance with MoEF notifications.**

## **7.2 Permissible Floor Space Index (FSI) :**

**7.2.1** Notwithstanding anything contained in any regulation for the time being in force, **if premium as mentioned in 7.1.2 is paid by the proponent then** the basic permissible FSI for such project shall be 1.0 to be calculated on Gross Plot Area under Master Layout Plan without deducting any areas under the slopes, etc. to be calculated on Gross Plot Area.

**7.2.2** Further, **additional FSI on payment of premium** as mentioned below shall be permissible on payment of premium at the rate of **10%** of the weighted average land rate of the said land as prescribed in Annual Statement of Rates for the relevant year, without applying the guidelines therein. Such premium shall be paid at the time of Building permission.

Area under Township	Additional built-up area on payment of premium
40 hec. and upto 200 Hector.	Upto 70 % of basic permissible FSI
More than 200 hec. and upto 500 Hector	Upto 80 % of basic permissible FSI
More than 500 hec. Hector	Upto 100 % of basic permissible FSI

**7.2.3** Over and above the FSI as prescribed above, an additional FSI in lieu of construction of tenements for social housing shall be permissible as prescribed in Clause 9, without charging premium.

**7.2.4** It shall be permissible to utilise the maximum permissible built-up area as prescribed above, anywhere in the area under sanctioned Master Layout Plan.

## **7.3 Mandatory Town-Level Amenities - Area and FSI Allocations :**

Master Layout Plan shall provide for town-level area and FSI allocation, to be kept at one or more places, as follows :—

### **(a) Spaces for Recreation :**

Sr.No.	Particulars	Minimum Area Required	Conditions
i	Garden/s and Park/s	5% of Master Layout Area. (out of this 50% area may be allowed on Hill Top, Hill Slope Zone <b>and Buffer Zone of ESZ</b> )	Out of this at least 1000 sq. mt. area shall be kept open for Town Plaza/Town Square. Such area shall be kept open and may be allowed to be proposed at suitable places. Major public amenities/activities shall be cluster around this area.
ii	Play Ground/s	7.5% of Master Layout Area (may be allowed in Buffer Zone of ESZ having slope less than 1: 5)	Maximum 10% of area under Play Ground which may accommodate indoor games, stadiums and allied users only.

**(Note -** These spaces shall be exclusive of open spaces to be required at sector-level layouts. **Notwithstanding anything contained in DCR of the authorities, 10% open space shall be provided in sector level layout).**

**(b) Spaces for combined School/s (Primary School/s + High School/s) -**

Sr. No.	Particulars	Minimum Area Required	Minimum Built-up Area required
i	For Master Layout area of 40 Ha.	5,000 sq.m.	5,000 sq.m.
ii	For Master Layout area more than 40 Ha.	To be increased proportionately with increase in Master Layout area and be proposed at one or more locations, as per requirements.	

*Note :*

(a) The requirements prescribed above are by considering School to be run in double shift,

(b) **40% area to be kept open for Play Ground purpose**(c) **Community Health Care Facilities:-****Primary and Secondary Health Care Facilities like Dispensary, Maternity Home, Hospital etc.**

Sr. No.	Particulars	Minimum Area Required	Minimum Built-up Area required
i	For Master Layout area of 40 Ha.	1,000 sq.m.	1500 sq.m.
ii	For Master Layout area more than 40 Ha.	To be increased proportionately with increase in Master Layout area and be proposed at one or more locations, as per requirements.	

**(d) Community Market :**

Sr. No.	Particulars	Minimum Area Required	Minimum Built-up Area required
i	<b>General Market including Mutton and Fish Market</b>		
	For Master Layout area up to and inclusive of 200 Ha.	1,000 sq.m.	As per requirement
	For Master Layout area more than 200 Ha.	To be increased proportionately with increase in Master Layout area and be proposed at one or more locations, as per requirements.	
ii	<b>Vegetable Market</b>		
	For Master Layout area up to and inclusive of 200 Ha.	1,000 sq.m.	As per requirement
	For Master Layout area more than 200 Ha.	To be increased proportionately with increase in Master Layout area and be proposed at one or more locations, as per requirements.	

*Note :* Users mentioned in (i) and (ii) above may be clubbed together for convenience purpose, without altering the requirements in plot area and built-up area.

**(e) Public Assembly Facilities : Town Hall and/or Auditorium including Library**

Sr. No.	Particulars	Minimum Area Required	Minimum Built-up Area required
i	For Master Layout area up to and inclusive of 100 Ha.	5000 sq.m.	5000 sq.m.
ii	For Master Layout area more than 100Hac. and up to 200 Ha.	10000 sq.m.	10000 sq.m.
iii	For Master Layout area more than 200 Ha.	To be increased proportionately with increase in Master Layout area and be proposed at one or more locations, as per requirements.	

**(f) Economic Activities :**

Economic activities including users such as Market, Multiplex, Mall, Information Technology and Information Technology enabled Services (IT and ITeS) including SEZs, Essential Shopping, Recreational Centers, Trade and Commerce, Education, Hospitals, Non-polluting Industries, Service Industries, Entertainment, Tourism, Star Category Hotels, Convention Centers, Gymnasiums, Socio-economic activities, such as workshop, hostel for Autistic persons and Mentally **challenged** persons **old age home etc.** except independent residential tenements, etc. as per requirements.

Sr. No.	Particulars	Minimum Area Required	Minimum Built-up Area required
i	For Master Layout area of 40 Ha.	40000 sq.m.	80000 sq.mtr.
ii	For Master Layout area more than 40 Ha.	To be increased proportionately with increase in Master Layout area and be proposed at one or more locations, as per requirements.	

*Note :*

(i) Users as mentioned in b, c, d, e & f may be clubbed together, in Economic Activities Component, subject to condition that, total built-up area should not be less than the summation of minimum required for all such users, irrespective of their individual plot area requirements.

(ii) The required parking spaces for all such amenities as per norms shall be provided in same plot.

**(g) Public Utilities :**
**For Master Layout area of 200 Ha.**

Sr. No.	Particulars	Minimum Area Required	Permissible Built-up Area
i	Fire Brigade Station-	3000 sq.m.or as prescribed by the Director of Fire Services, Maharashtra State/ Chief fire Officer of the concern Authority.	As per recommendations of the Director of Fire Services, Maharashtra State/Chief fire Officer of the concern Authority.
ii	Sewage Waste Management Project (SWMP)	4000 sq.m.	As per requirements
iii	Cremation Ground	2000 sq.m.	As per requirements
iv	Burial Ground	2000 sq.m.	As per requirements
v	Bus Station / Transport Hub	3000 sq.m.	
vi	Police Station	1000 sq.m.	
vii	Electric Sub-station	As per requirement	
viii	Other Public Utilities	As per requirement	
ix	Public Parking Facilities	As per prevailing DCR	
x	Solid waste management	As per requirement	

**Note :** (i) If the facility of Cremation Ground/ Burial Ground is available in the village where the Township is located in such case these requirements need not be insisted subject to NOCs of respective Gram Panchayat.

(ii) If Police Station is available within 1k.m. area from the proposed Township, then such facility need not to be provided.

#### **(h) Transport & Communication :**

(i) The entire area of the project shall be well-knitted with proper road pattern, taking into consideration the linkages with existing roads within the project and outside area as well. All such roads shall be developed by the Project Proponent/s as per standard prescribed by the Indian Road Congress.

(ii) The width of the -

(i) Classified Road should not be less than as may be prescribed by concerned public authority;

(ii) Main / Arterial / Ring Road should be minimum right of way of 18 mt.

(iii) Other Sub-Arterial roads, Collector streets, local streets, etc., shall be proposed as per the requirements to cater to the need of occupancies on such roads including for pedestrians.

(iv) Network of cycle track in entire Township area of minimum width of 3 meter shall be provided without clashing **with** the vehicular traffic.

(iii) It may be permissible for Project Proponent/s, to realign the Development Plan Roads, and earlier existing roads passing through the project area, without changing the entry and exit points of such roads.

(iv) All the Development Plan Roads and all the Main / Arterial / Ring Roads, shall always be open for general public, irrespective of the fact that, they reside in the project or not.

#### **General Note for Amenities (a) to (h) :**

(i) The requirements prescribed above for items (a) to (f) are by considering FSI proposed for the project is only 1.0. If the FSI proposed is increased or decreased then the only built up area requirement shall be increased or decreased proportionately.

(ii) The requirements prescribed above for items (g) are for Master Layout area ~~up to & inclusive~~ of 200 Ha. It shall be increased or decreased proportionately and may be proposed at one or more locations, as per requirements.

#### **7.4 Residential Activities :**

Sr. No.	Particulars	Area	Built-up Area
i	Residential Activities (including lands required for social housing, infrastructure such as water storage, drainage and garbage disposal, etc.)	The land excluding the land required for purposes as shown 7.3 (a) to (h).	Remaining built-up area subject to minimum 60% of the total proposed built-up area.

#### **7.5 Share of Local/Planning Authority**

**The Integration of Integrated Township Projects included in the Local/Planning Authority, an area @ 2% of the gross area shall be earmarked and shall be handed over free of cost to the respective Authority for Development of the City Level Facilities.**

**For determining eligibility of ITP, the above 2% area shall be considered in area calculation. This area shall not contain area under hills lopes, and shall be accessible by major road. Base FSI of such 2% land shall be made available to the applicant on remaining land.**

#### **8. Development Control Regulations :**

For those aspects which are not covered under this regulation, the prevailing provisions as prescribed in the Standardised Development Control and Promotion Regulations for Development Plans in Maharashtra **or DCR of Respective Authorities**, shall apply *mutatis-mutandis*. The provisions of MoEF CRZ notifications amended from time to time shall also be applicable.

However **where in prevailing DCR of the respective authority the maximum height of building is not mentioned in such cases the maximum height** shall be allowed subject to provisions of Maharashtra Fire Prevention and Life safety measures Act 2006 and ~~also~~ any restriction imposed by Chief Fire Officer.

## 9. Social Housing :

**9.1** The Master Layout Plan shall provide sufficient space for construction of small tenements for persons from EWS and LIG categories (hereinafter referred to as the “Social Housing Component”), as a social responsibility with FSI as mentioned in Clause No 9.3. Out of this Social Housing Component 25 % FSI shall be utilised exclusively for construction of EWS tenements and remaining 75 % FSI shall be used for LIG tenements. Out of the total tenements constructed as Social Housing component, one third (1/3rd) tenements shall be kept for Rental Housing tenements which will be disposed on Rent only by the project Proponents.

**9.2** Social Housing tenements shall be constructed with area as specified by the MHADA for EWS and LIG category respectively.

**9.3** The minimum Social Housing component shall be constructed at 15% of the Residential basic FSI of the area available for Residential Development as prescribed in Clause 7.4 (hereinafter referred to as the “Social Housing component”).

**9.4** Social Housing tenements shall be constructed as per the general and special specifications prescribed by concerned unit of MHADA for their projects.

**9.5** The Project Proponent/s, after getting commencement certificate of Social Housing component as mentioned above shall immediately intimate to MHADA regarding the numbers of Social Housing Component to be disposed by them to the allottee. Upon such intimation, MHADA within a period of six months, from the date of receipt of such intimation after following procedure of lottery system shall prepare the list of the allottees and forward it to the Project Proponent/s. The project proponent shall dispose of such EWS housing tenements to the allottees **at the construction cost mentioned in ASR applicable of the year of disposal plus 20% additional cost. Out of this 20% additional cost, 10% shall be paid to MHADA towards administration charges.**

**If the allottees fail to deposit the amount within specified time limit, then the allotment shall stand cancelled and MHADA can give fresh names of allottees from waiting list within one month.**

Provided that if the MHADA is unable to provide the list of the allottee as mentioned above then the project proponent shall dispose of such social housing tenements in the market **at the construction cost in ASR applicable to the land of the year of disposal plus 10% additional cost.**

**9.6** Every Occupation Certificate for the regular tenements shall be granted only alongwith the Occupation Certificate in proportionate with Social Housing component.

**9.7** Amalgamation of such Social Housing tenements shall not be permitted in any case.

**9.8** The purchaser of tenement under social housing shall deposit an amount equivalent to 10% of the construction cost of tenement, as prescribed in Annual Statement of Rates prevailing at the time of occupation, with the Project Proponent/s as one-time maintenance deposit for onsite infrastructure maintenance.

**9.9** The Project Proponent/s shall maintain the premises and common spaces outside the building/s of social housing including concerned all basic infrastructure and amenities, in good condition in the same manner with the maintenance of remaining area of the project.

**9.10** The purchaser of tenement under social housing shall have to pay all the government taxes, duties like stamp duty, VAT, service tax, etc. at actual, to the Project Proponent/s, as per the requirement, from time to time.

## 10 Liability of Project Proponent/s :—

**10.1** The entire project shall be an integrated one with all facilities within the boundaries of such project. All the on-site infrastructure i.e. internal roads, approach road, street lights, water supply and drainage system shall be mandatory and constructed / maintained in future by the Project Proponent/s. Proposed internal roads and Open Spaces in the layouts shall be used only for ITP.

**10.2** The Development Plan Roads & Reservations which are included in ITP shall be Developed by project proponent and after development made available to the general public. Such reservations may be allowed to shift within 500 mt. (within Township Area Only) in consultation with Director of Town Planning M. S. Pune.

**10.3** It shall be the responsibility of the Project Proponent/s to **develop and** maintain all the infrastructure in good condition **till handing over to the appropriate authority.**

Provided that, the Project Proponent/s **shall** handover the infrastructure, for maintenance purpose, only after the completion of the project, to the Urban Local Body **or appropriate authority**, when constituted in the area comprised by the project **along with the unutilized corpus fund collected for maintenance purpose.**

**10.4 Project Proponent/s shall mandatorily provide facilities for making the project SMART —**

(i) **For** the people residing in the project area, an efficient and timely public transportation system up to the nearest public transportation station/hub/depot/stand. **He** shall develop **it himself** or tie with Government / Semi Government or private transport agency for such efficient public transportation. The number of buses and trips will be decided by MSRTC / Local Transport Authority ;

(ii) Continuous unobstructed footpath of minimum 2 m. width on either sides of all street/ roads width ROW 12 m. or more ;

(iii) Dedicated and physically segregated bicycle track with a width of 3 mt. or more, should be provided for entire Township Area ;

(iv) Pedestrian friendly pathways, encouragement to non-motorized transport, intelligent traffic management, non-vehicle street / zones, smart parking, energy efficient street lighting visible improvement in the area i.e. replacing **existing** overhead electric wiring with underground wiring, encroachment free public areas ;

(v) **Arranging** generation of power through non-conventional energy sources like solar, wind and other shall be mandatorily provided with at least 10% of total requirement **of common physical infrastructure of the project;**

(vi) **To provide** energy management by adopting advanced technology like installing Solar Water Heating System, Solar Lamps/Lights in common areas, LED Lamps, auto-operated street lights, solar pumps, etc. all external lighting shall be of LED, Solar Water Heating System, Solar Lamp shall be compulsorily provided;

(vii) **To provide** effective water management by adopting water harvesting techniques like rain water harvesting, recycling of used water, metered water supply to the users under project, double plumbing pipeline .The recycled water shall be used for flush system, gardening, carwash and industrial use;

(viii) **To provide** effective safety & security measures like CCTV surveillance at strategic locations, centralized control room, etc.;

(ix) **Arranging** smart and fast internet/broad band connectivity to all residences, e-governance online system for grievance redressed;

(x) **Encouraging and providing platform for** citizens participations in decision making about public community issues ;

(xi) **Arranging** real time environmental monitoring i.e. air pollution, noise pollution etc. shall be observed ;

(xii) **Encouraging and providing platform for e-DCR** for building plans with BIM, 3-D maps on GIS of the utility services network and properties in the city, central command, control and emergency response center for all infrastructure facilities. Project Proponent/s shall also provide urban design concept plans along with Master Plan.

(xiii) It shall be obligatory on the part of Project Proponent/s to provide the infrastructure and green building norms that are necessary as per the guidelines as may be laid down by the Government, under the policy of development of 'Smart City' from time to time.

(xiv) Ensure that the buildings have at least 3 star ratings from GRIHA.

#### **10.5 Project Proponent/s shall also mandatorily provide for :—**

**(a) Water Supply-** Safe and potable drinking water at the rate of 90 liters per capita per day, exclusive of requirement of water for firefighting and gardening purposes. The storage capacity of the same shall be at least 1.5 times of the actual required quantity as determined by expected population (Resident and Floating) and other uses. The Project Proponent/s would be required to develop proper internal distribution with double pipe plumbing **for reuse of treated water at appropriate places** and maintenance system along with smart metering and shall specially undertake rain water harvesting, groundwater recharging and waste water recycling within the project.

Provided that, the Project Proponent/s should not use groundwater as a source of water, to meet the above requirement.

**(b) Drainage and Garbage Disposal:-** The Project Proponent/s shall make suitable and environment friendly arrangements for the disposal and treatment of sewage and solid waste generated in the project at source, as per the norms of the Maharashtra Pollution Control Board. The Project Proponent shall provide zero discharge in ITP for solid as well as liquid based.

The Project Proponent/s should provide facilities for water conservation by different means such as Rain Water Harvesting, Recycling of Waste Water, etc. and also set-up, in the project area itself, the Solid Waste Management Project (SWMP) with a sufficient capacity for processing of 100% garbage and solid waste so that it should be zero liquid discharge to city from the area.

**(c) Power:-** The Project Proponent/s shall ensure continuous and quality power supply for the project area. The Project Proponent/s may draw the power from any existing supply system or may go in for arrangement of captive power generation with the approval from the concerned authority. If power is drawn from any existing supply system, the Project Proponent/s shall, before commencement of development, procure a firm commitment of power for the entire Township from the power supply company.

#### **11 Occupancy Certificate :—**

**11.1** Application for obtaining the Occupancy Certificate for project, in full or part shall be submitted by Project Proponent/s to the respective Planning Authority. Such application shall be accompanied by —

(a) All the relevant documents alongwith coloured **Google Earth** image showing the area under Master Layout Plan;

(b) Documents showing compliance of the conditions prescribed while according sanctions from time to time;

(c) Appropriate declaration/s and undertaking/s made by the Project Proponent/s and his technical personnel's;

(d) Any other requirement as may be prescribed by the Planning Authority.

**11.2** On receipt of application as prescribed under Clause 11.1, the Planning Authority shall forward the same to the concerned branch for technical consultation, within 10 working days.

**11.3** The concerned branch of Planning Authority shall send his remarks to the Municipal Commissioner / Chief Officer within one month from the receipt of proposal or receipt of reply from the Project Proponent/s in respect of any requisition made by him, whichever is later.

**11.4** The Planning Authority shall grant Occupancy Certificate or reject the application **giving specific reason** within **fifteen days** from the receipt of reply from the concerned branch.

**11.5** The Municipal Commissioner / Chief Officer, before issuing the Occupancy Certificate for the project as a whole, shall verify and satisfy himself about the completion of erection / development/construction of all the basic required infrastructure in Master Layout plan. In case, an application for part occupancy, such completion shall be as prescribed in phase programme.

## **12. General Stipulations:-**

**12.1** Development of basic infrastructure and amenities shall be completed by the Project Proponent/s to the satisfaction of the Collector either for whole or as per phases, of the project.

**12.2** It shall not be mandatory for the Project Proponent/s to provide Amenity Space as otherwise required as per regulation of Development Plan, if any.

**12.3** The Project Proponent/s shall plant indigenous trees at the rate of at least 150 trees per ha. and maintain it properly. The certificate to that effect issued by the Deputy Conservator of Forest or an Officer nominated by him for this purpose shall be produced by Project Proponent/s at the time of application for Final Occupation Certificate under Clause 11.

**12.4** All the powers and functions, that are supposed to be exercised by the **Authority** under this regulation shall be exercised by the Chief Officer / Chief Executive Officer, Commissioner /Metropolitan Commissioner of the concerned Planning/Local Authority wherever applicable, excepting the powers to grant Letter of Intent under Clause-5 of this regulation.

Provided that, before grant or refusal to the Master Layout Plan, the Chief Officer / Chief Executive Officer , Commissioner /Metropolitan Commissioner of the concerned Planning/Local Authority shall, consult the, concerned Divisional Joint Director of Town Planning as prescribed in Clause-6.3 and 6.4, if the Planning Officer posted in such Authority is below the rank of Joint Director of Town Planning, and to the concerned branch office of Town Planning as prescribed in Clause-6.6 and 11, if the Planning Officer posted in such Authority is below the rank of Assistant Director of Town Planning.

**12.5** All the amounts of scrutiny fees, charges, premium etc. payable to the Government shall be deposited with the concerned Branch office of the Town Planning. In circumstances described in proviso of Clause 1 above, 50% of such amount shall be deposited with the concerned Branch office of the Town Planning, and 50% to the concerned Planning Authority.

**12.6** The Project Proponent/s shall submit a bank guarantee of an amount equal to the 15% of estimated development cost required for development of the basic **Physical** infrastructure such as roads, water supply, drainage & garbage disposal, **Trunk** installations for power supply, fire brigade station & fire engines. Such development cost be worked out as per respective phases taking into consideration the phased programme for development of infrastructure with amenities under project as submitted and as required under clause 6.1. Certificate regarding estimated development cost shall be produced by the respective Architect of the project.

**12.7** The Project Proponent/s shall construct and maintain the Fire Station at their cost. The project proponent shall post a well-trained staff at fire station as per the recommendations of the Director of Fire Services, Maharashtra State/ chief fire officer of the concerned Authority. The amount of all expenditure on such staff shall be the responsibility of the Project Proponent/s. After completion of fire station and as per requirement such fire brigade/station shall be handed over to the nearest respective authority on the terms and condition decided by the respective authority and project proponent.

**12.8** Developer shall complete the Special Township Project within 10 years **or such period as allowed by the Government** from the approval to the master plan. Developer shall develop and maintain all infrastructure (internal street light, roads etc.) up to the completion of the STP project. Within such **period or till the authority is formed as per clause no.12.9, the concession in property tax levied by the respective Planning Authority shall be 50% of normal rate as prescribed under the Maharashtra Municipal Council, Nagar Panchayat and Industrial Town ship Act, 1965 or Maharashtra Municipal Corporation Act. Such property tax shall be levied after the actual possession or issuing of Occupancy Certificate whichever is earlier.** Respective Planning Authority shall provide mandatory provisions like Birth and Death Registration Certificate etc. for the same period in such STP. Provided that the utilities



like fire brigade, police station/chauki etc. shall be handed over to the nearest respective Authority **at the** terms and condition decided by the respective authority.

**12.9** A local Authority shall be formed under section 3 read with section 341 of the Maharashtra Municipal Council, Nagar Panchayat and Industrial Town ship Act 1965 according to population of such town ship. The newly formed respective authority shall take over the operation maintenance of infrastructure in the Integrated Township Project area with the previous approval of Government. However, if the area under ITPs merged in any Local Authority then operation and maintenance of infrastructure in such Integrated Township Project area shall be made by the respective Local Authority.

**12.10** Licensing to the Project Proponent/s - The respective Authority shall provide licenses to the Project Proponent/s for telephone Connection, Power and other utilities in the Town ship area. After granting the license from the respective Authority, the project proponent/s shall provide utilities in the Town ship area as per the conditions laid down by the respective authority.

**12.11** It shall be mandatory for the Project Proponent/s to provide **appropriate width of road** to the land not owned by the project proponent which is surrounded by the Township Area.

### **13. Special Concessions:-**

**13.1 Deemed conversion for Non-Agricultural (N.A.) Use:-** The lands under approved Master Layout Plan shall be considered as deemed N.A. No separate permission shall be required under the provisions of Maharashtra Land Revenue Code, 1966. **The amount of nonagricultural assessment shall be exempted to the extent of 50% of the normal rate for the land under Integrated Township Project.**

**13.2 Grant of Government land:-** The Government land/s, if surrounded **or adjacent** by the lands owned by the Project Proponent/s, may preferably be granted to the Project Proponent/s, as per the rules and regulations to that effect, by the Revenue and Forest Department of the State Government. Maximum 10% of the total area under township shall be allowed to be included in such township.

**13.3 Concession in Stamp Duty:-** For the purchase of land by project proponent for township area or first transaction, from Project Proponent/s to Purchaser, of any unit under any user, from approved Master Layout Plan or subsequent building plan under this Regulation, concession of 50% of stamp duty as otherwise required under the Mumbai Stamp Act, shall be granted. **This concession will be available only at one stage i.e. either at the time of land purchase or at the time of sale of units. Also, if the project proponent assigns the rights to his own subsidiary companies for the running of the Amenities in such Township project as per the approved plan in such cases concession of 50 % of stamp duty as otherwise required under the Mumbai Stamp Act, shall be granted.**

**13.4 Exemption in payment of Development Charges:-** The amount of Development Charges under sub-section (3) of Section 124F of the said Act shall be exempted to the extent of 50% for institution of use or, change of use of any land or building or, development of any land or building, proposed for project undertaken by a Project Proponent/s under this Regulation.

**13.5 Relaxation from Mumbai Tenancy and Agriculture Land Act:-** The condition that, only the agriculturist will be eligible to buy the agriculture land shall not be applicable to the Project Proponent/s for purchasing agriculture land for Integrated Township under this Regulation.

**13.6 Exemption from Ceiling for holding agriculture land:-** The limit for holding agriculture land, stipulated in the Maharashtra Agricultural Lands (Ceiling and Holdings) Act, 1961 shall not be applicable to the Project Proponent/s for development of Integrated Township Project under this Regulation.

**13.7 Exemption from scrutiny fee:-** The amount of scrutiny fee shall be exempted to the extent of 50% of the normal rate for building permission under Integrated Township Project.

**13.8 Exemption from royalty on minor minerals:-** The amount of royalty on minor minerals as per the Maharashtra Minor Mineral Extraction (Development and Regulation) Rules shall be exempted to the extent of 50% for the earth which is extracted while developing the land within Township area and fully exempted if the said excavated material is used in the same project.

**14. Transition Policy :**

**14.1** It shall be permissible for the Project Proponent/s, to whom Special Township Project has already been granted location clearance and / or LOI or the project is ongoing wherein part Occupancy Certificate is granted subject to—

(a) Continue such Integrated Township Project under the erstwhile regulations under which LC is granted **without considering these regulations;**

(b) If the project proponent wishes to develop township according to these regulations then he may apply for grant of Letter of Intent or Master Layout Plan as the case may be **wherever required**, under this regulation and may be **allowed to develop according to these regulations. The premium already paid may get adjusted as per the percentage mentioned in clause No.7.1 and 7.2 of these regulations.**

**14.2** If in case as described in Clause 14.1(b), the construction of the project is on-going and the Occupation Certificate, either in full or part has been granted or not been granted, it shall be permissible for the Project Proponent/s to choose an option to prefer this regulation subject to payment of premium as prescribed in Clause 7.1 and 7.2. **In such cases premium shall be calculated on balance area.**

**15. Appeal :** Anyone aggrieved by an order passed under prevailing byelaws may within forty days of the date of communication of the order prefer an appeal to the Director of Town Planning, Maharashtra State, Pune. The appeal shall be **decided** within 60 days.

**16. Control by the State Government -** Director of Town Planning M.S Pune is authorised on behalf of Government to monitor the Township Project and submit his report once in six months to Government.

**17. Government may relax any provisions from these regulations considering the site condition of the particular project.**

**18. The rate of premium mentioned in the Regulation No.7.1.2 and 7.2.2 can be revised by the Government from time to time.**

This Notice shall also be published on the Government website [www.maharashtra.gov.in](http://www.maharashtra.gov.in) (कायदे/नियम)

By order and in the name of Governor of Maharashtra,

SANJAY SAOJI,

Deputy Secretary to Government.